IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA

P.I.L. Writ Petition No. /2024

Mr. Suraj Ravindra Chodankar & Anr. ….Petitioners

V/s

The State of Goa & Ors. …Respondents

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PLACE: Porvorim - Goa

DATE: 01.10.2024

ADVOCATE FOR THE PETITIONERS

IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA

P.I.L. Writ Petition No. /2024

IN THE MATTER OF ARTICLE 21, 14, & 226 THE CONSTITUTION OF INDIA AND RULE 4(e) OF THE BOMBAY HIGH COURT PUBLIC INTEREST LITIGATION RULES, 2010.

AND

IN THE MATTER OF THE CONSTRUCTION OF 8 RESIDENTIAL VILLAS AND SWIMMING POOLS IN OXEL, SIOLIM, IN THE ABSENCE OF ADEQUATE INFRASTRUCTURE AS MANDATED.

AND

IN THE MATTER OF THE CONSTRUCTION BEING PERMITTED IN THE ABSENCE OF A 6 METRE ROAD AS REQUIRED BY

HIGH COURT OF BOMBAY AT GOA
PORVORIM-GOA

THE GOA BUILDING REGULATIONS, 2010.

AND

IN THE MATTER OF THE CONSTRUCTION BEING CARRIED OUT WITHIN 33 METRES OF THE PUBLIC SPRING OF OUR LADY OF THE SEA CHURCH, OXEL, SIOLIM.

1. **MR. SURAJ RAVINDRA CHODANKAR,**
   School Headmaster, Age 42 years, r/o H. No. 1049/A,
   Madhlem Bhat, Siolim, Bardez-Goa
   Income: Rs 10,00,000/- per annum (approx.),
   PAN No.: AHDPC7379J
   Email id: surajchodankar123@gmail.com,
   Mobile No.: 9923302989.

2. **MR. AVERTINO ROSARIO MIRANDA,**
   Journalist, Age 62 years, r/o
   H. No. 594, Shambhavi Apts.,
   Dr. Dada Vaidya Road, Panjim, Goa – 403001,
   Income: Rs 3,50,000/- per annum (approx.),
   AADHAAR No.: 979935483227
   Email id: avertino@gmail.com,
   Mobile No.: 9823073265.

.....PETITIONERS

v/s

1. **THE STATE OF GOA,**
   through its Chief Secretary,
   Secretariat, Porvorim, Goa - 403521.

2. **THE TOWN AND COUNTRY PLANNING DEPT.,**
   thr. the Chief Town Planner (Planning),
   2nd Floor, Dempo Towers,
   Patto, Panaji, Goa – 403001.

3. **THE TOWN AND COUNTRY PLANNING DEPARTMENT,**
   North Goa District Office,
   thr. the Senior Town Planner, 302,
   Govt. Building Complex,
   Mapusa, Bardez, Goa – 403507.

4. **THE WATER RESOURCES DEPARTMENT,**
   thr. its Chief Engineer,
   Sinchai Bhavan, Near Porvorim Police
   Station, Porvorim, Goa – 403521.

5. **THE VILLAGE PANCHAYAT OF OXEL,**
   thr. its Secretary,
   Gublawada, Oxel, Siolim, Bardez, Goa – 403517.

6. **M/S. RARA EXPORTS PVT. LTD,**
   thr. its Director, Mr. Rahul Sayal,
   2 Fern Hill, Chattarpur Farm,
   Mehrauli, New Delhi – 110030.

7. **MR. VINTI SAHNI,**
   H. No. 8, Sriram Road, Near
   Civil Lines, North, New Delhi – 110054.

8. **M/S. JAI SANTOSHI HOUSING PVT. LTD.,**
thr. its authorized representative,
Mr. Shailesh Shantaram Mandrekar,
Tivim, Bardez, Goa – 403502.

....RESPONDENTS

(Above addresses are registered addresses of parties)

To,

THE HON'BLE CHIEF JUSTICE

AND HIS COMPANION JUDGES,

BOMBAY HIGH COURT AT PORVORIM, GOA

THIS HUMBLE PETITION OF THE PETITIONERS MOST RESPECTFULLY SHOWS AS UNDER

PARTICULARS OF THE CAUSE AGAINST WHICH THIS PIL IS FILED

1. This PIL Writ Petition is being filed seeking the urgent intervention of this Hon'ble Court against the ongoing construction of 8 villas with swimming pools on Survey No. 51/21, Oxel village, Siolim, Goa. The principal objections to the construction of this project are threefold: – ***Firstly***, that the permissions have been mechanically granted by authorities without ascertaining infrastructure availability such as water and power, which is admittedly in short supply; ***Secondly***, that the construction is coming up within 33 metres of the Oxel Spring, *officially known as "Our Lady of the Sea Church Spring, Oxel"*, which is a water body recorded in the list of water bodies directed to be protected by the Order of this Court dated 27.03.2024 in W.P. 772/2023 and which is likely to be affected by the on-going construction - a fact not taken into account at the time of grant of permissions; and ***Thirdly***, that there is no 6 metre wide road

leading to the project mandated by law, but only an approx. 4 metres wide road at the site. Hence this petition. Photographs of the construction along with a sketch showing its location are enclosed herewith as **Annexure 1 Colly.**

PARTICULARS OF THE PETITIONERS

2. The Petitioner No. 1 is a resident of Siolim, and a Headmaster by profession, who along with other villagers of Siolim, has been making complaints and representations to various authorities in public interest against the proposed Private Villa project which is the subject matter of this petition. The Petitioner No. 2 is a public spirited person, a journalist by profession, who has been a part of several movements to protect the ecological assets of Goa, and has filed petitions in this Hon'ble Court on a number of environment related issues. An undertaking that the Petitioners will disclose the source of information leading to the filing of the PIL is filed by the Petitioner No. 1 and is marked and annexed at **Annexure 2.**

PARTICULARS OF THE RESPONDENTS

3. The Respondent No. 1 is the State of Goa. The Respondent Nos. 2 and 3 are the Head office and Taluka Office respectively of the Town and Country Planning Department. The Respondent No. 4 is the Water Resources Department. The Respondent No. 5 is the Village Panchayat of Oxel, Siolim, and the Respondent Nos. 6 to 8 are the private Parties/Developers who have been given the

permissions to construct the project of 8 Villas with swimming Pools in Oxel.

DECLARATION OF THE PETITIONERS

4. The Petitioners state that this petition is filed by way of public interest. The Petitioners do not have any personal interest in the matter. Reliefs claimed are in public interest.

5. The Petitioners state that the entire litigation costs and other charges are being borne by the Petitioners.

6. The Petitioners state that adequate research has been conducted in the matter raised through the petition and all relevant material has been annexed to the petition. More may be added, if necessary, at a later stage.

7. The Petitioners state that to the best of their knowledge and research the issues raised in the petition was not dealt with or decided and that a similar or identical petition was not filed earlier by the Petitioners on the same matter either in this Hon'ble Court or in the Supreme Court of India.

8. The Petitioners state that this Hon'ble Court has jurisdiction to hear and decide this matter.

9. The Petitioners state that there is no civil, criminal or revenue litigation involving the Petitioners which has or could have a legal nexus with the issue involved in this PIL.

10. The Petitioners have understood that in the course of hearing of this petition, the Court may require any security to be furnished towards costs or any other charges and the Petitioners shall comply with such charges.

FACTS CONSTITUTING THE CAUSE

11. The instant petition is concerned with the approvals granted for a project involving the construction of 8 Residential villas and 8 swimming pools on Sy. No. 51/21, admeasuring approx. 1725 sq. mts, Oxel village, Siolim, Bardez, Goa [*hereinafter for the sake of brevity known as the 'subject plot'*]. The site is located within 33 metres of the Oxel Spring, and within 40 metres of the Our Lady of the Sea Church Oxel. Technical Clearance was issued by the T.C.P. Department (Respondent No. 3 herein) on 07.02.2024, and a Construction License was issued by the Village Panchayat (Respondent No. 5 herein) on 11.03.2024. The impugned Technical Clearance dt. 07.02.24 (*as revised by T.C.P. vide Order dt. 27.06.2024*) and Construction License dt. 11.03.24, along with the approved plan of the project, are enclosed herewith as **Annexure 3 Colly.**

12. The challenge to the above-mentioned Technical Clearance and Construction License is on three primary grounds, i.e., non-application of mind in granting permissions without undertaking requisite infrastructure studies; proximity of the project to the Oxel Spring and its likely destruction; and also lack of a 6 metre wide road as required by law.

I. Lack of study of the infrastructure available in the village before granting permissions

13. When planning authorities consider applications from private parties for development, the availability of infrastructure has to be determined before permissions are granted for the construction of new structures. In so far as the Technical Clearances issued by the T.C.P. are concerned, the responsibility of looking into the proposal from the infrastructure point of view is allotted to the concerned Village Panchayat.

14. Condition No. 20 of the Technical Clearance issued by the T.C.P. dt. 07.02.2024 requires the Village Panchayat to ensure the availability of Power, Water Supply and other infrastructure before issuing the Construction License. In other words, grant of Technical Clearance does not imply that the Village Panchayat has to automatically grant Construction License. Technical Clearance simply implies that the project is sound in terms of zone and structural aspects etc. However, the suitability of the project in terms of its impact on the village environment is left entirely to the Village Panchayat.

15. A local villager from Oxel had, vide a letter dated 26.07.2024, requested the Village Panchayat for the Power and Water Adequacy Reports, in connection with the Construction License issued by the V.P. for the concerned project. The Village Panchayat vide a letter dated 24.08.2024 replied stating that no information is available, i.e., that no adequacy reports are available with them. The RTI dated 26.07.2024 and the VP Reply dated 24.08.2024 are enclosed as **Annexure 4 Colly.**

16. To the best of the Petitioners' knowledge, there was also no study carried out from the point of view of impact of the proposal on traffic, garbage and other infrastructural facilities of the village. All in all, the Construction License was issued by the V.P. without even basic infrastructural capacity assessments, which approach is impermissible and contrary to the planned development of the village which the Panchayat is entrusted with.

17. This problem is even more significant considering the fact that there are both severe power and water shortage issues being faced by residents of Siolim over the past few years. Information received under RTI from the PWD shows that Siolim village has a shortfall of water supply of about 7 million litres per day/7 MLD. The local residents in their representations to authorities have extensively highlighted the water, power and other infrastructural issues faced by the villagers in recent years. The information about water supply shortfall received from the PWD is enclosed as **Annexure 5**, and two recent articles of April 2024 about water shortages in Siolim are enclosed as **Annexure 6 Colly.**

18. It may be noted that this project envisages the construction of 8 residential villas, 8 swimming pools, septic tanks and soak pits. When the people of the village do not get adequate water for their daily domestic needs, it is a scandal for the Town Planning Department and the Village Panchayat to approve new construction of villas and that to, each villa with a swimming pool. The Village Panchayat ought to have firmly rejected the project or at least kept it on hold until the villagers' needs are first satisfied. The Petitioners submit that the construction of the

project will adversely affect their meagre water supplies and thereby deprive them of the Right to Life guaranteed to them under Art. 21 of the Constitution.

II. Proximity of project to Oxel Spring

19. The subject plot is located within a mere 33 metres of the Oxel spring – a perennial spring which is one of the important ecological assets of the village. The villagers recall the existence of the spring since time immemorial - the church after which it is named is itself more than 350 years old. The Oxel spring is an underground spring whose water is still pure and not sullied or contaminated in any way. The villagers themselves draw water from the spring for drinking purposes.

20. The perennial gushing life sustaining waters of the Oxel spring overflows into a channel that irrigates the paddy fields. The villagers are highly apprehensive that the septic tanks and soak pits of this multi dwelling unit will degrade the environment of the area around the spring and contaminate the waters of the spring, which is a source of drinking water for the villagers of Oxel and the surrounding villages. The chlorinated water discharge of the swimming pools will contaminate the catchment area of the Oxel spring and the paddy fields located at a lower level and adjacent to this multi dwelling project. For these reasons, the upcoming multi dwelling construction on the subject plot is bound to impede the natural discharge flow of the spring and its riparian flow.

21. Recently, the Government has constructed some protective works around the spring to ensure that its wholesomeness is maintained. The Oxel spring is among the list of water bodies identified by the WRD submitted to this Hon'ble Court in other proceedings, where directions have been issued for the protection of water bodies in the State of Goa by the order of this Court dated 27.03.2024, which is enclosed hereto at **Annexure 7.** Annexed hereto at **Annexure 8** is an extract of the W.R.D. List submitted to this Hon'ble High Court as a part of the matter bearing no. W.P. 772/2023, reflecting the name of the Oxel Spring.

22. The Petitioners submit that no study or assessment of the impact that this project will have on the water body has been considered by the authorities before grant of permission for this project on the subject plot. Any bore wells or manually operated wells in the subject plot is likely to adversely affect the spring. Cement concrete constructions may affect the catchment area of the spring. Besides, garbage generated will also contaminate the area around the spring.

23. The Petitioners have made representations to the Water Resource Department, Respondent No. 4 herein, and other authorities dated 15.05.2024, 03.06.2024 and 01.07.2024 to consider the impact of the project on the catchment area of the spring, which must be quite substantial, considering that it is amongst the few perennial springs yielding water even in the summer months. The representations/complaint letters dated 15.05.2024, 03.06.2024 and 01.07.2024 are enclosed hereto at **Annexure 9 Colly.**

24. However, the Petitioners have received any response from the authorities. The Petitioners have therefore decided to get a hydrogeological study done and are simultaneously approaching this Hon'ble Court for some relief, before it is too late to protect the Oxel spring.

III) No 6 metre wide access road as mandated

25. Regulation 6A.4 of the Goa Land Development and Building Construction Regulations, 2010, mandates the presence of an existing road of minimum 6 metres width at the time of considering any proposal for development in a settlement zone. The State Government has issued a formal Order as far back as 8th August 2014 prohibiting the grant of permissions for development/construction proposals without physically verifying the existence of road infrastructure at the site. The Order dated 08.08.2014 as notified in the Gazette dated 04.09.2014 is enclosed hereto at **Annexure 10.**

26. In the case of the subject plot in Oxel village, the villagers first filed their objections against the project in question by way of a complaint letter dated 10.05.2024, signed by more than 200 residents of Oxel village. The letter pointed out that the existing road width ranged from 3 to 4 metres, and they therefore called upon the V.P. to conduct an inspection to ascertain the road width. The letter dated 10.05.2024 is enclosed hereto at **Annexure 11.**

27. On receipt of the complaint from the villagers, the Village Panchayat of Oxel issued a notice dated 15.05.2024, fixing a date for site inspection on 18.05.2024. A copy of notice was also sent

to the private developers/parties concerned [*Respondent Nos. 6 – 8*]. The Notice dated 15.05.2024 is enclosed hereto at **Annexure 12.**

28. On 18.05.2024, the site inspection was carried out by officials from the V.P. Oxel, in the presence of the complainants. No representative of the private developers was present despite the intimation. The inspection report records that at the time of the inspection, "it is found that there is no 6 metre wide road." The sketch prepared at the time of the inspection shows the road width as varying from 4.10 metres to 4.60 metres at the site, and notes that "a shoulder for road is not available." The V.P. Site Inspection Report dated 18.05.2024 along with its sketch is enclosed hereto at **Annexure 13.**

29. The fact that the existing road width is approximately 4 metres is also supported by a plan submitted by the private developers to the Village Panchayat dt. 07.12.2023, wherein the access road in question is described as being a 4 metre wide existing road. This document obtained from the V.P. under R.T.I. is enclosed hereto at **Annexure 14.**

30. Pursuant to the findings of the V.P. with reference to the lack of a 6 metre wide road, the Village Panchayat issued a Show Cause Notice dt. 21.05.2024 to the private developers. The private party filed their response to the Show Cause Notice vide a letter dated 03.06.2024. These documents are enclosed as **Annexure 15 Colly.**

31. No further action including the issuance of a Stop Work Order has been taken by the Village Panchayat, other than issuing the Show

Cause Notice to the Respondent Nos. 6 to 8, in May 2024. The Petitioners submit that once the Village Panchayat had verified that there was no 6 metres wide access as required by law, it was duty bound to withdraw its Construction License for the project, since it had obviously granted Construction License without ascertaining the availability of proper road infrastructure as required by law. However, the Village Panchayat has not even issued a Stop Work Order despite repeat reminders and follow up on this issue by the citizens. The Letters dated 10.06.2024; 17.06.2024 and 27.06.2024 sent by the villagers pleading for follow up action and stoppage of construction work sent to the panchayat and the last one to the T.C.P. authorities as well, are enclosed hereto at **Annexure 16 Colly.**

GROUNDS:

32. The Petitioners are therefore approaching this Hon'ble Court in public interest on the following major grounds, among others: -

A. Regulation 6A.4 of the Goa Land Development and Building Construction Regulations, 2010, mandates the existence of a minimum 6 metre road width for the purpose of considering Development proposals in Settlement zones.

B. The State of Goa in its Order dated 08.08.2014 issued under the Goa T.C.P. Act acknowledges and accepts that grant of permissions for construction based on proposed/non-existent roads inconveniences the public and hampers development

from the planning point of view, and accordingly, prohibits the grant of any Permission/Construction License unless the requisite road infrastructure in terms of the 2010 Regulations is physically available at the Site.

C. In the case of *Calangute United Association vs. State of Goa*, this Hon'ble Court restrained construction activities owing to the lack of a 6 metre wide road as required by the Regulations. The Court also issued directions to the Planning Authorities to grant permissions only after personally verifying and being satisfied about compliance with the Regulations.

D. In the present case, no Technical Clearance and Construction License could have been granted, as the existing road at site is only approx. 4 metres wide, as per both the plans submitted by the Project Proponent to the V.P., and the site inspection Report of the V.P. dated 18.05.2024.

E. Planned and sustainable development of the entire village/area as a whole has been recognized by the Hon'ble Apex Court as a part of the Right to Life under Article 21 of the Indian Constitution.

F. Condition No. 20 of the Technical Clearance issued by the T.C.P. dated 07.02.2024 requires the Village Panchayat to ensure the availability of Power, Water Supply and other infrastructure before issuing the Construction License. The Village Panchayat is responsible for development in its jurisdiction, and has an obligation to ensure that the interests

of villagers to planned and orderly development and access to basic community resources is available when considering proposals for new projects which will impact the existing resources.

G. In the present case, admittedly no such study was carried out by the V.P. before issuing the Construction License. This problem is even more significant considering the power and water shortage issues being faced by residents of Siolim in the past few years.

H. This Hon'ble Court in the case of *Mohinder Kaur Paintal vs. State of Goa*, W.P. 772/2023 has pronounced an Order dated 27.03.2024 directing the State of Goa; the Water Resources Department and other authorities to take necessary and adequate measures to protect water bodies in the State of Goa. The Oxel Spring is one of the water bodies identified by the W.R.D. in this matter, and faces severe risks and irreversible damage to its watershed and water table, in case the construction of the 8 villas with 8 swimming pools, septic tanks and soak pits coming up within 33 metres of the spring is allowed to continue.

I. Such other and further grounds that may be urged at the time of hearing.

SOURCE OF INFORMATION

33. The Petitioners are relying on information received under the provisions of the RTI Act, 2005, and information available on Govt. websites/Official Gazettes.

DELAY, IF ANY, IN FILING THE PETITION

34. There is no delay in the filing of this petition. The present status of the construction is that around 40% of work has been carried out. Technical Clearance was issued by the T.C.P. Dept. in February 2024, and a Construction License was issued by the V.P. in March 2024. The Petitioners became aware about the project in April 2024, when construction activity began at the subject site. Complaints were made to various authorities, and the Village Panchayat even issued a Show Cause notice based on the complaints. However, as no further action was forthcoming from any Authority, the Petitioners are now compelled to approach this Hon'ble Court for reliefs.

REPRESENTATIONS MADE

35. The Petitioner No. 1, along with other residents of Siolim village, has made numerous representations to Govt. authorities raising their grievances about the project in question, to no avail. The representations/ complaint letters dated 10.05.2024; 15.05.2024; 03.06.2024; 17.06.2024; 27.06.2024 and 01.07.2024 are enclosed along with this petition.

DOCUMENTS RELIED UPON

36. List of documents to be relied upon is provided in the index.

NATURE AND EXTENT OF INJURY CAUSED

37. The impugned project of the construction of 8 villas with swimming pools has been approved without taking into account the serious infrastructural issues plaguing the village of Siolim in the last few years, especially with regards to water and power supply. Such mechanical approval of large projects is impermissible and against the principles of planned and sustainable development. The project is in the immediate vicinity of a perennial fresh water underground spring, and the construction activities could have a disastrous impact on the watershed and water supply of the natural spring. The lack of a 6 metre wide road as required by law is bound to lead to further traffic woes in the village.

PRAYERS:

38. The Petitioners are therefore praying for the following reliefs, in public interest:

A. For an Order quashing and setting aside the Technical Clearance Order granted by the Senior Town Planner, T.C.P. Dept., North Goa District Office, bearing Ref. No. TPB/9241/OXEL/TCP-2024/1344, dt. 07.02.2024; as revised

by the T.C.P. Dept. *vide* its letter bearing Ref. No. TPB/9241/OXEL/TCP-2024/5347, dt. 27.06.2024;

B. For an Order quashing and setting aside the Construction License/Permission granted by the Village Panchayat of Oxel, bearing Ref. No. VP/OXEL/CONST-LIC/RESIDENTIAL-BLDG/1304, dt. 11.03.2024;

C. For an Order directing the Respondent Authorities to demolish the existing constructions raised on Sy. No. 51/21, Oxel village, Siolim, Bardez, Goa and to restore the site to its original condition;

D. For costs of this petition;

E. Any other reliefs this Hon'ble Court may be pleased to grant;

INTERIM RELIEFS

F. Pending hearing and final disposal of this petition, for an Order restraining the Respondent Nos. 6 to 8 from carrying on any further construction, development and other activities at the site bearing Sy. No. 51/21, Oxel village, Siolim, Bardez, Goa;

G. For ex-parte, ad interim relief in terms of prayer clause (F) above.

CAVEAT

39. No notice has been received of lodging a caveat by the opposite parties.

For the above, the Petitioners are very grateful.

PLACE: Porvorim – Goa
DATE: 30.09.2024

PETITIONER NO. 1

PETITIONER NO. 2

IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA

P.I.L. Writ Petition No. /2024

Mr. Suraj Ravindra Chodankar & Anr. ....Petitioners

V/s

The State of Goa & Ors. ...Respondents

AFFIDAVIT IN SUPPORT OF THE PETITION

I, Mr. Suraj Ravindra Chodankar, Indian National, the Petitioner No. 1 above named, do solemnly state on oath as under:

1. I say that I have today filed a Writ Petition in public interest for the reliefs sought therein.

2. I state that there is no personal gain, private motive or oblique reason in filing the PIL.

3. The Petitioners are ready to pay costs as ordered by the Court, if it is ultimately held that the petition is frivolous or has been filed for extraneous consideration or that it lacks bonafides.

4. The Petitioners shall disclose the source of their information, leading to the filing of the PIL, if and when called upon by the Court to do so.

5. That the contents of paragraphs 1 (p), 2, 3, 4, 5,, 6, 7, 8, 9, 10, 11 (p), 12 (p), 14 (p), 15, 16 (p), 17, 18 (p), 19, 20, 21 (p), 22, 23, 24, 25 (p), 26, 27, 28, 29, 30, 31 (p), 32 (p), 33, 34, 35, 36, 37 (p), 38 and 39 of the accompanying petition are correct and true are true to the best of my knowledge and information collected by me from the Departments of Government and official gazettes/website/internet which I believe to be true, and the contents of paras 1 (p), 11 (p), 12 (p), 13, 14 (p), 16 (p), 18 (p), 21 (p), 25 (p), 31 (p), 32 (p) and 37 (p) are my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

6. I say that the documents annexed are true copies of their originals.

Solemnly affirmed at Porvorim, Goa,
this the 30th day of September, 2024

Deponents

Identified by me:

Adv. Malisa Zemira Simoes

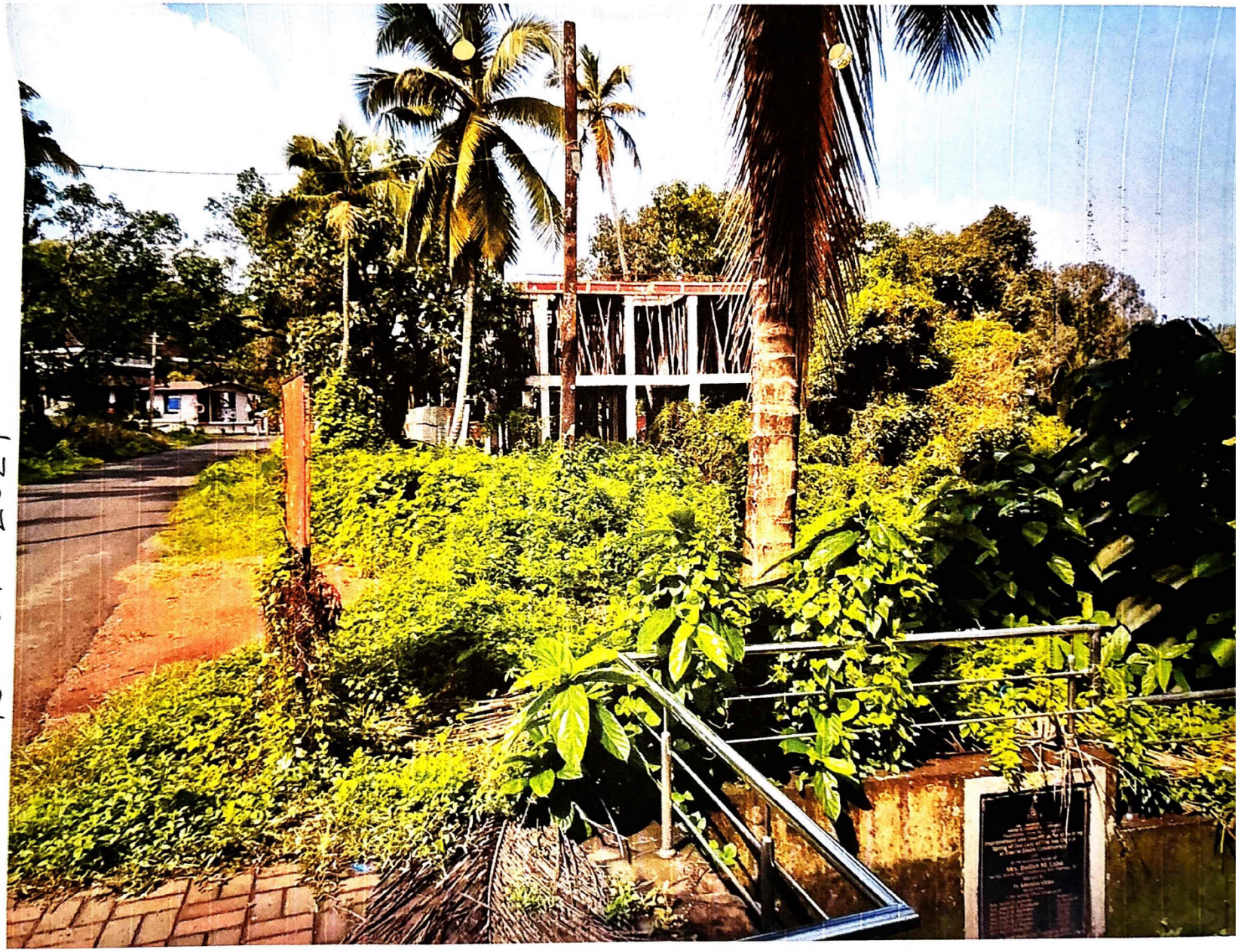
Solemnly affirmed before me by Mr. Suraj Ravindra Choolankar who is identified before me by Adv. Malisa Simoes whom I personally know. Dated this 30th day of September 20 24

Section Officer
High Court of Bombay
at Goa, Porvorim

Photographs showing construction on Sy. No. 51/21, Oxel village, Siolim, Goa.

15-09-2024

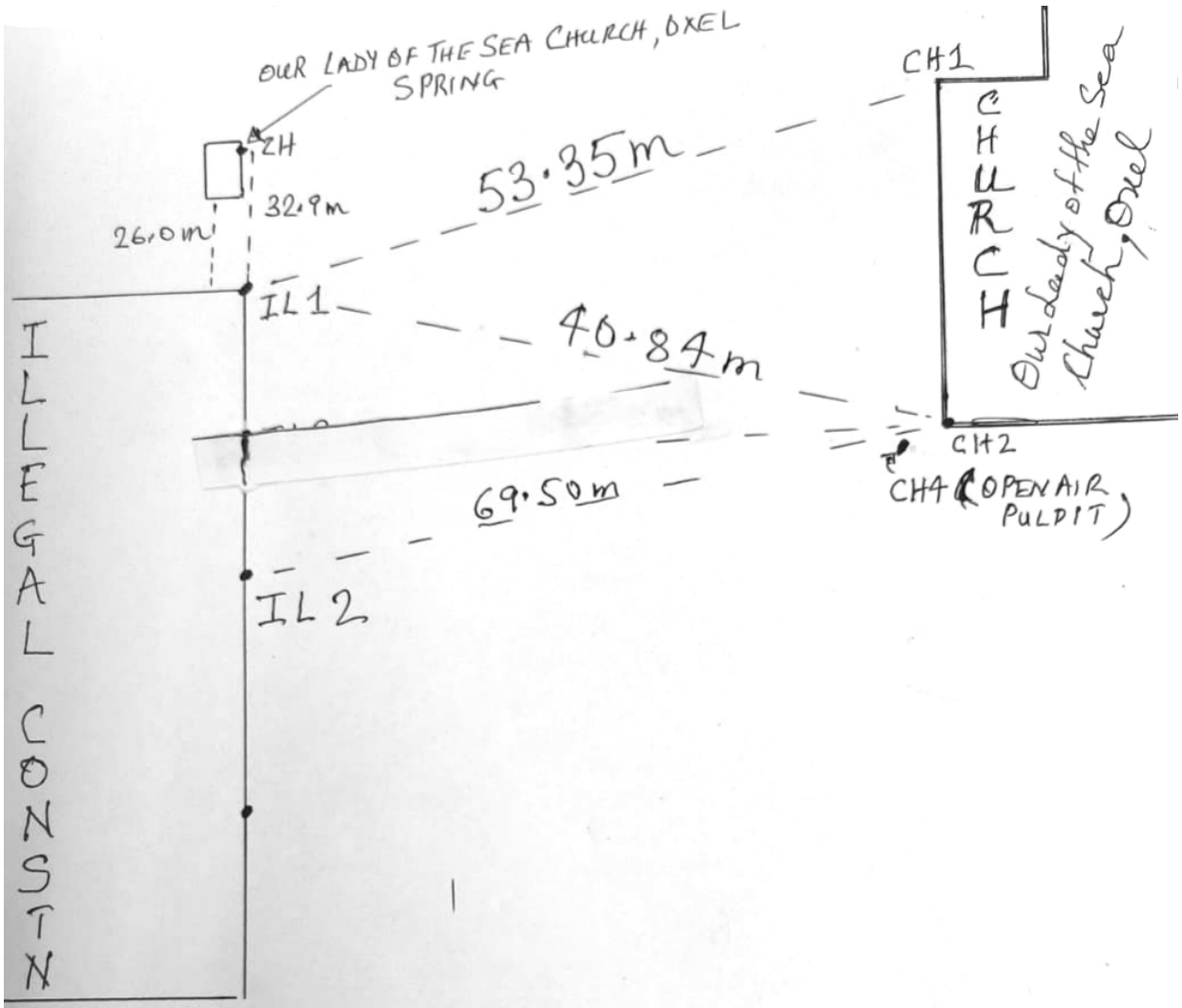
Construction seen ongoing in the background. Oxel spring enclosure is in the foreground of the picture.



15-09-2024

Photographs of the site of the Oxel Spring, dt. 30.09.2024.

Sketch showing distance between Oxel Spring and site of ongoing construction on Sy. No. 51/21, Oxel village.



ZH → IL 1

Dist of Spring origin to boundary wall of the illegal construction — 32.9m

Dist of Spring boundary to Illegal Constn boundary — 26.0m

ANNEXURE 2

IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM GOA

P.I.L. Writ Petition No. /2024

Suraj Ravindra Chodankar & Anr. ....Petitioners

V/s

The State of Goa & Ors ...Respondents

UNDERTAKING

I, Suraj Ravindra Chodankar, the Petitioner No. 1 above named, do hereby undertake that I will disclose the source of information leading to the filing of the Public Interest Litigation if and when called upon by the Court to do so.

Place: Porvorim, Goa

Date: 30/09/2024

Petitioner

OFFICE OF THE SENIOR TOWN PLANNER
Town & Country Planning Dept., North Goa District Office,
302, Govt. Building Complex, Mapusa, Bardez - Goa.

Ref No: TPB/9241/OXEL/TCP-2024/ 1844 **Dated: 7 /02/2024**

TECHNICAL CLEARANCE ORDER

Ref No: Inward No. **11449** **dtd. 27/10/2023**

Technical Clearance is hereby granted for carrying out the **proposed construction of residential villa Types A, B, C, D, E, F, G, H, Swimming pools & Compound wall as** per the enclosed approved plans in the property Zoned as **"Settlement Zone"** in **Regional Plan for Goa 2021** situated at property bearing **Survey No. 51/21 of Oxel** Village Taluka Bardez Goa with the following conditions:-

1) Construction shall be strictly as per the approved plans. No changes shall be effected in the approved plans/approved built spaces without the prior permission of this Authority.
2) The permission granted shall be revoked, if any information, plans, calculations, documents and any other accompaniments of the application are found incorrect or wrong at any stage after the grant of the permission and the applicant will not be entitled for any compensation.
3) The development permission will not entitle the applicant for making/laying any claim on water and any other connection from the Government of Goa.
4) The Developer/applicant should display a sign board of minimum size 1.00 Mts. X 0.50 mts. with writing in black color on a white background at the site, as required under the Regulations.
5) The applicant shall obtain Conversion Sanad under the Goa Land Revenue Code, 1968, before the Commencement of any development/construction as per the permission granted by this order.
6) The Soak pit should not be located within a distance of 15.00 meters from any other existing well in the plot area/plan.
7) The commencement and the completion of the work shall be notified to the authority in writing in appropriate forms.
8) Completion Certificate has to be obtained from this Authority before applying for Occupancy Certificate from the licensing authority.
9) Storm water drain should be constructed along the boundary of the effected plot abutting to the road.
10) Adequate Utility space for the dustbin, transformer etc. should be reserved within the plot area.
11) In case of any cutting of sloppy land or filing of low-lying land, beyond permissible limits, prior permission of the Chief Town Planner shall be obtained before the commencement of the works per the provisions of Section 17(A) of the Goa Town & Country Planning Act, 1974.
12) In case of Compound Walls, the gates shall open inwards only and traditional access, if any passing through the property shall not be blocked, unless the plot or property so served is otherwise served by alternate access.
13) Maximum height of a compound wall along the boundary other than that abutting on a street shall be 1.80mtrs and along the boundary on a street upto a height of 1.50mts only and which shall be of closed type up to a height of 90cm. only and open type above that height.
14) Along the intersections of streets no compound wall shall be raised to a height of more than 1.0mts from the crown of the road for a length of 9.00 mts from the intersections corner of the plot, on both sides of the plot.
15) In case of road intersection the construction of compound wall should be carried out in a smooth curve of 3.00mts radius for roads upto 10.00mts R/W and that of 5.00 mts radius for roads above 10.00 mts R/W.
16) All gates of compound wall shall be open inwards only, unless the gate is recessed into the plot to a depth, which will not cause the gate to protrude beyond the compound wall line.
17) The entry or exit to the plot situated at the intersection of roads having a width of 10.00mts or more, shall be located at least 15.00 mts away from the tangent point of such intersection. If a plot is less than what is prescribed above, then the entry or exist shall be provided at farthest end of the plot from the intersection
18) The Ownership and tenancy position as on 2.11.1990 & thereafter of the plot/property under reference shall be verified by the licensing body before the issuing of the license.
19) Traditional access, if any passing through the property shall not be blocked and the same shall be verified by the Village Panchayat before issuing construction license.
20) The Village Panchayat shall ensure about the availability of Power and Water Supply and any other required infrastructure before issuing the license.

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P.I.O
Gram Secretary
V. P. Oxel

21) The adequate arrangement for collection and disposal of solid waste generated within the plot shall arrange to satisfaction of Village Panchayat.
22) Adequate storm water network shall be developed up to the satisfaction of Village Panchayat and same to be connected to the existing drain in the locality.
23) Applicant shall plant one tree for every 100.00 m2 of area developed, landscaping on open spaces/ tree plantation along roads and in developed plots.
24) Adequate avenue greenery should be developed.
25) The applicant shall obtain prior permission from Tree Officer/ Forest Dept. for proposal involving felling of trees as mandated under section 8 & 9 of Goa Preservation of Tree Act.
26) The applicant shall pay Labour cess of 1% of the total cost of construction project to the Commissioner of Labour & Employment and Secretary Goa Building & Other construction Workers Welfare Board before applying for completion certificate to the Authority.
27) Open parking area should be effectively developed.
28) Applicant shall make his own arrangement of water requirements for swimming pools.
29) The provision for the Common Telecom Infrastructure Room & EV Charging point shall provided.
30) The area under road widening shall be deemed to be Public road and shall not be enclosed/encroached. Affidavit/undertaking in this regards shall be sworn before the Village Panchayat/P.W.D as the case may be on stamp paper of Rs.100/-
31) This Technical Clearance order is issued relying on approved Survey Plan submitted to this office. In case of any Boundary disputes/encroachment if any shall be resolve by the applicant with clear demarcation of boundary stones from Directorate of Settlement and Land Records. This office shall not be held responsible at any point of time, as this Technical Clearance order issued is only from planning point of view.
32) The Village Panchayat shall take cognizance of any issue in case of any complaints/ court orders before issue of construction license.
33) Applicant shall dispose the construction debris at his/her own level and/ or the same shall be taken to the designated site as per the disposal plan given by the applicant in the affidavit to be produced to the village Panchayat.

NOTE:-

a) This Technical Clearance Order is issued based on the order issued by the Secretary (TCP) vide no.**29/8/TCP/2018 (Pt.File)/1672** dated **13/08/2018 and** order issued by the Chief Town Planner (Planning) vide no.**29/8/TCP/2022/(Pt.File)/1734** dated **19/07/2022** pertaining to guidelines for processing various applications.
b) An Engineer who designs the RCC structure, of the project proponent is liable for structural designs and stability of the project, structural liability certificate issued by **Engineer Krishna A. Shirodkar** dtd. **18/10/2023** TCP Reg. No.**SE/0003/2023.**
c) Applicant has paid infrastructure tax of **Rs.4,63,665/- (Rupees Four Lakhs Sixty Three Thousand Six Hundred Sixty Five Only)** vide Challan no.**635** dated **06/02/2023.**
d) This order is issued with reference to the applications dated **27/10/2023** from **M/s. Rara Export Pvt. Ltd.,Vinti Shahni & Jai Santoshi Housing Pvt. Ltd.**
e) This Technical Clearance Order is issued based on the approval from the Govt. vide note moved vide no. **TPB/9241/OXEL/TCP-23/10561 dt.14/12/2023.**

THIS ORDER IS VALID FOR THREE YEARS FROM THE DATE OF ISSUE OF CONSTRUCTION LICENCE PROVIDED THE CONSTRUCTION LICENCE IS ISSUED WITHIN THE PERIOD OF THREE YEARS.

7/12/2024

(Zaidev R. Aldonkar)
Dy. Town Planner

To,
M/s. Rara Export Pvt. Ltd.,
Vinti Shahni & Jai Santoshi Housing Pvt. Ltd.,
Oxel,Bardez Goa.

Copy to:
The Sarpanch/Secretary,
Village Panchayat of **Siolim - Oxel,**
Bardez Goa.

Copy of information issued under R.T.I Act 2005
P.I.O
Secretary
V.P. Oxel

The permission is granted subject to the provision of Town & Country Planning Act 1974 and the rules & Regulations framed there under.

----X------

OFFICE OF THE SENIOR TOWN PLANNER
Town & Country Planning Dept., North Goa District Office,
302, Govt. Building Complex, Mapusa, Bardez - Goa.

Ref No.: TPB/9241/OXEL/TCP-2024/5347 Dated: 27 / 06/2024

To,
M/s. Rara Export Pvt. LTd.,
Vinti Sahni & Jai Santoshi Housing Pvt. Ltd.,
Oxel Bardez Goa.

Sub:- **Revised site plan for proposed construction of residential villas swimming pool & Compound wall** at property bearing **Sy.No.51/21** of Village **Oxel** village of Bardez Taluka.

Ref:- Your application received in this office under inward no.**5221** dt. **29/05/2024**.

Sir,

With reference to the above cited subject, this is to inform you that there is No objection from planning point of view for **revision in site plan for proposed construction of residential villas, swimming pool & Compound wall** at property bearing **Sy.No.51/21** of Village **Oxel** Bardez Taluka as per the site plan enclosed. The building plans approved vide Technical Clearance Order no.**TPB/9241/OXEL/TCP-2024/1344 dt. 07/02/2024** stands valid.

All the content of the Technical Clearance Order dated **07/02/2024** shall remain unchanged.

Yours faithfully,

27/6/2024

(Zaidev R. Aldonkar)
Dy. Town Planner

Encl:- As above.

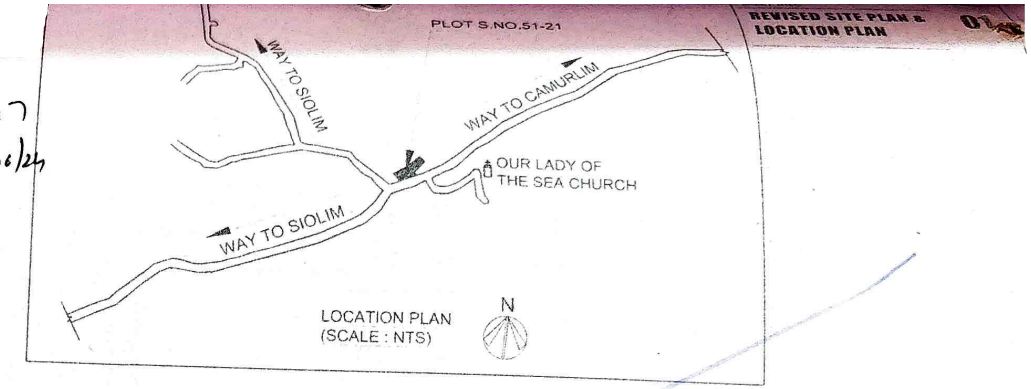
Copy to :-
The Sarpanch/Secretary,
Village Panchayat of **Siolim- Oxel**,
Bardez Goa.

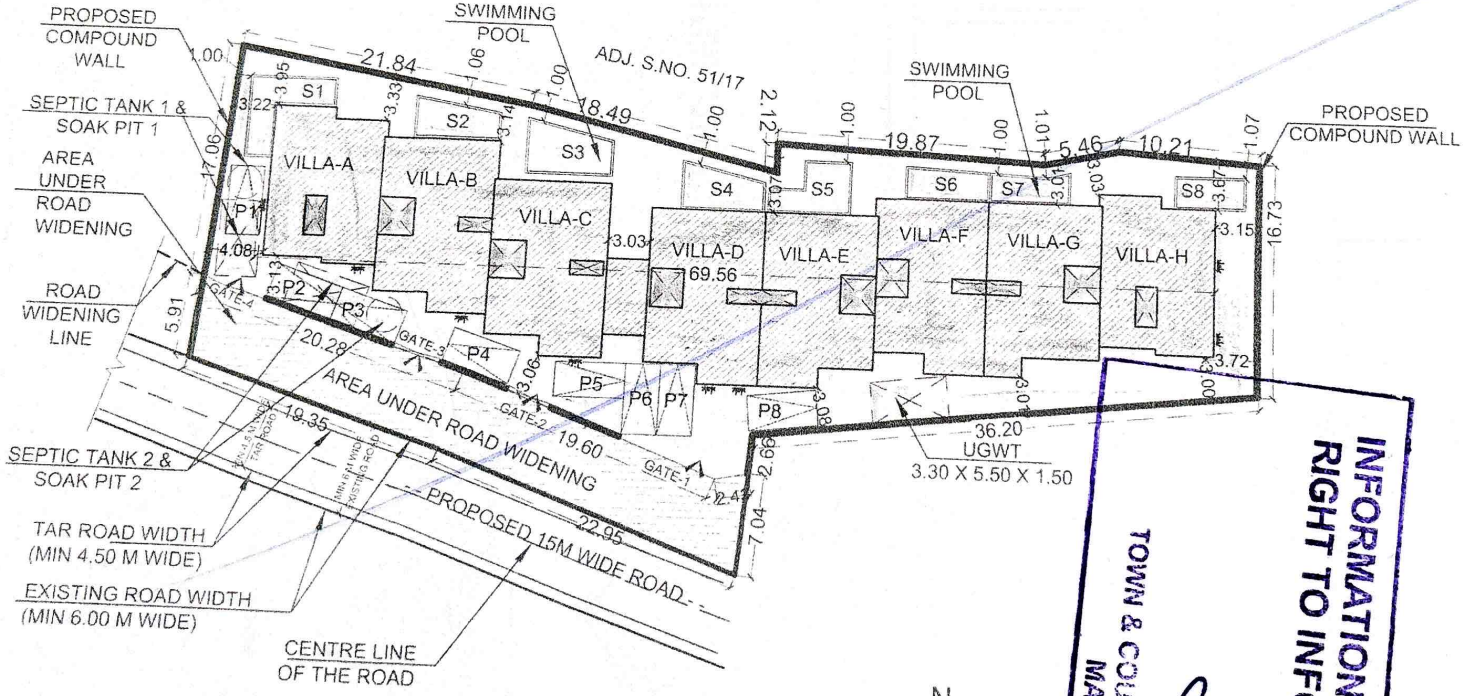
INFORMATION ISSUED UNDER RIGHT TO INFORMATION ACT

PIO / APIO
TOWN & COUNTRY PLANNING DEPT.
MAPUSA - GOA

Approved With Condition Vide
L. No: TPB/9241/DXPL/TCP-24/5347
dt 27/06/24

Dy. Town Planner
Town & Country Planning Dept
Govt. of. Goa. Mapusa
27/6/2024





SITE PLAN
(SCALE 1:500)

INFORMATION ISSUED UNDER RIGHT TO INFORMATION ACT
TOWN & COUNTRY
MAPUSA - GOA

DESCRIPTION OF PROPOSAL
NAME OF OWNER
OWNER'S SIGN
ARCHITECT'S NAME
NORTH

INCH ARCHITECTURE & PROJECT MANAGEMENT
PUNE/GOA

Village Panchayat of Oxel

Bardez - Goa
Ph. 0832-2272272

VILLAGE PANCHAYAT OXEL BARDEZ GOA

CONSTRUCTION LICENCE / PERMISSION

No. VP/OXEL/const-lic/residential-bldg/1304 **Date: 11.03.2024**

1. Jai Santoshi Housing Pvt. Ltd, 2. Vinti Sahni and 3. Rara Exports Pvt. Ltd is hereby granted Licence/permission for carrying out the **"Construction of Residential Villas i.e. Villa-A, Villa-B, Villa-C, Villa-D, Villa-E, Villa-F, Villa-G & Villa-H, compound wall and swimming pools S1, S2, S3, S4, S5, S6, S7 & S8 " in property bearing sy.no. 51/21of Oxel Village,** in terms of resolution No. 2(l) passed in the Panchayat meeting dated 5.3.2024, as per the enclosed approved plans in the property zoned as "Settlement Zone" in Regional Plan for Goa 2021, situated at Oxel Village as per technical clearance order bearing no. TPB/9421/OXEL/TCP-2024/1344 Dated 07.02.2024 from Office of the Senior Town Planner, Town and country Planning Dept. North Goa District office, Mapusa Goa, **with the following conditions**:-

1. The applicant shall strictly comply with all the condition imposed in the Technical Clearance Order No. TPB/9421/OXEL/TCP-2024/1344 Dated 07.02.2024 issued by the Town and Country Planning Department, Mapusa Goa.
2. The applicant shall strictly comply with all the conditions imposed by PHC Siolim vide their letter no. DHS/2024/DHS0901/O0023/35 Dt. 14-02-2024
3. The applicant shall notify the Panchayat for giving the alignment of the building.
4. The construction should maintain the minimum prescribed horizontal and vertical clearances from any overhead electrical line passing adjacent to the construction.
5. All RCC/Structural works shall be designed and supervised by the Engineer who has signed the structural Liability Certificate submitted to the Panchayat.
6. No material for construction or earth from excavation or any other construction material shall be Stacked on the Public roads.
7. The Building should not be occupied unless the occupancy certificate is obtained from the Panchayat.
8. The construction license shall be revoked if the construction work is not executed as per the approved plans and the statements therein and whenever there is any false statement or misrepresentation of any material passed, approved or shown in the application on which the permit was based.
9. The applicant shall obtain conversion sanad under Goa Land Revenue Code 1968 before the commencement of any development / construction. The same shall be submitted to this office accordingly.
10. The applicant should construct a separate soak pit in order to derivate in the sullage water.
11. Any soak pit should be constructed at a minimum distance of 15 meters away from any well.
12. The Ventilation pipe of the septic tank should be provided with a mosquito net.
13. The applicant should connect the pipelines from their latrines/WC's to the sewerage line at their own cost, when the sewerage line is commissioned.
14. The applicant should fix a board at a prominent place whenever the construction is started, indicating the number, the date and the authority for which the licence for development work has been granted.
15. All the building material and other rubbish should be cleared from the construction site before applying for the occupancy certificate.
16. Water storage tank shall be provided with mosquito proof lids and over flow pipes. The tanks should be provided with access ladders whenever necessary.
17. The drains surrounding the plot if any should be constructed with PCC and should be covered with removable RCC slabs of sufficient thickness.

Copy of Information issued under R.T.I. Act, 2005
P.I.O
CUM Secretary
V. P. Oxel

18. The applicant should gift the road widening area to the Village Panchayat before applying for the Occupancy certificate, if the applicant has utilized the extra FAR in lieu of the road widening affecting the plot.
19. The applicant should plaster and paint the building internally as well as externally before applying for Occupancy certificate. Exposed bricks/ laterite/concrete /stone/ashlars masonry finish to buildings will also be permitted.
20. The applicant should provide a dustbin at a convenient place accessible for the Municipal vehicle for collection of garbage.
21. Road widening area shall be asphalted to the existing roads level before applying for occupancy certificate.
22. Garage and Parking areas shown in the approved plans shall be strictly used for the notified purposes only and should be easily accessible to vehicles. No commercial activities shall be allowed in these areas.
23. The area under road widening deemed to be public road and shall not be enclosed / encroached. An affidavit on 100/- Rupees stamp paper, to this effect shall be sworn in by the owners and submitted to this office within period of 15 days from the issuance of this license.
24. Access up to the entrance of the building is to be paved and is provided with drainage facilities.
25. Space for parking of vehicles is clearly demarcated on the ground.
26. No commercial activities will be permitted in the premises unless a separate permission is obtained from this Panchayat
27. All temporary sheds /Existing building shown to be demolished in the plan shall be demolished before applying for Occupancy Certificate.
28. Fire Escape staircases, if applicable shall be constructed as indicated in the approved plans.
29. All internal courtyards should be provided with drainage outlet.
30. The applicant should maintain all existing natural drains in the plot and should not block them at any stage.
31. No soak pit or other structure should come in the road widening area.
32. The plot boundary should be cordoned off by continuous sheet fencing either of wood or metal during the construction period.
33. The applicant shall make necessary arrangement for smooth flow of rain water by keeping adequate opening in the compound wall for the purpose. Strom water drain shall be constructed along the boundary of the effected plot abutting to the road.
34. Adequate arrangement for collection and disposal of solid waste / garbage generated within the complex shall be disposed in plot area itself or arrangement be made to the satisfaction of the Village Panchayat. Garbage collection bins should be provided within the plot. An affidavit on Rs. 100/- stamp paper shall be executed by the owner to this effect and submit to this office within a period of 15 days from the issuance of this license.
35. Sewage treatment plant shall be set up ensure that the same is functioning effectively.
36. No any hindrance / Nuisance shall be created in the surrounding area on account of Garbage and maintaining of existing footpaths / public pathways which shall not be blocked.
37. No gates shall open outwards on to the roads.
38. Drinking water well should be 15meters away from the soak pit.
39. The applicant shall obtain necessary approval / clearance (Consent to Establish) under Water Act 1974 & Air Act 1981 from Goa State Pollution Control Board from strictly comply with all the conditions imposed therein. The copy of the same shall be submitted to this office within a period of 60 days.(incase if applicable)
40. The applicant shall dispose the construction & Demolition debris at his own level AND It shall be ensured that the construction / demolition debris is not dumped/deposited anywhere in the jurisdiction of Village Panchayat and / or is deposited in the designated sites as notified in the Notification no. 5-1-PCE-PWD-EO/2018/181 dated 7.3.2018
41. Sanad obtained from office of Additional Collector – III, North Goa District, Mapusa Goa vide no. 4/392/CNV/ACIII/2023/132 dated 23/01/2024, all the conditions mentioned therein shall be strictly complied.
42. The traditional access existing in the plot shall be strictly maintained or alternate access to be provided. The existing water bodies shall be strictly maintained.

Copy of information issued under R.T.I. Act, 2005

P.I.O
CUM Secretary
V. P. Oxel

43. The necessary permission shall be obtained from WRD/PWD in case of water pipeline is existing in the plot.
44. The construction of Gate-1 as per plan, shall not be done without obtaining written consent / permission of the neighboring plot owner in whose property the Gate is proposed opening of the gate is shown. The necessary revision to plan shall be made accordingly and submitted to this office.
45. The paddy fields towards the northern side boundary of the plot are having paddy fields which are cultivated by the farmers, all preventive measures and precautionary steps shall be taken ensuring paddy fields cultivation is not affected by any nuisance or by discharge of waste water or swimming pool water.
46. If any information furnished by the applicant for obtaining construction license is found to be false at a later stage, the construction license issued shall be liable to be withdrawn without prejudice to the legal action that may be taken against the applicant.
47. If any information furnished or to be furnished regarding tenancy of the Mundcarial house(s) or Mundcar for obtaining the permission/license, is found to be false at later stage, then the license is liable to be withdrawn / revoked without prejudice to the legal action that may be taken against the applicant(s).
48. The license fee collected as per the Valuation / ESTIMATE Letter dated:6.2.2024, issued by Vibhuti Fotedar (consulting Engineer) Mapusa Goa, reg.no. CA/2005/37083

THIS LICENCE IS VALID FOR A PERIOD OF THREE YEARS FROM THE DATE OF ISSUE OF THIS LICENCE

RENEWAL OF LICENSE IF REQUIRED SHALL BE APPLIED WITHIN THE PERIOD OF THE VALIDITY OF THE LICENCE.

To,
Jai Santoshi Housing Pvt. Ltd
Vinti Sahni
Through their Representative – Mr. Shailesh Shantaram mandrekar,
Tivim Bardez Goa
Rara Exports Pvt. Ltd
Through its Director – Rahul Sayal
2 Fern Hill, Chattarpur Farm, Mehrauli, New Delhi 110030

License fee & labour cess calculation:

Total Estimated cost of construction / project: Rs : 1,39,09,950=00

Permission /License fee : Rs.: 69,600=00 (Rupees: Sixty Nine thousand Six hundred only)

Labour cess (1%) Rs.:1,39,100=00 (Rupees: One lakh Thirty Nine thousand One hundred only)

The applicant has paid the above mentioned license fee and labour cess by receipt no.s 270/79 and **dated** 11/03/2024 respectively.

Seal

V.P. Secretary
SECRETARY
V. P. OXEL

VP Sarpanch
SARPANCH
V. P. OXEL

Copy of Information Issued under R.T.I Act 2005
P.I.O
Secretary
V. P. Oxel

e Public Information Officer
anchayat Secretary
Oxel Village Panchayat
Oxel, Siolim Bardez Goa.

Inward No. Received
Date : 26/7/2024
V. P. Oxel Bardez - Goa

Date: 26th July 2024

Subject: Information requested under RTI Act 2005

With reference to the captioned subject, please URGENTLY provide me with the information requested for as hereunder pertaining to Oxel Panchayat construction license no VP/OXEL/CONST.LIC/RESIDENTIAL-BLDG/1304 dated 11/03/2024 & the TCP License No. TPB/9421/OXEL/TCP 2024/1344 dated 07/02/2024 with the following information.

1. Water adequacy report from PWD, a pre requisite for issuing above construction license.
2. Power adequacy report from Electricity Department of Goa, a pre requisite for issuing above construction license.

Please provide me with all file noting regards the above.

Yours sincerely

B Fernandes

Capt. Brian Fernandes
RTI Applicant
A vida de Oxel
198/199 Aradi, Oxel,
Siolim, Bardez Goa.
Cellphone No. 9820184327

OFFICE OF THE VILLAGE PANCHAYAT OXEL
OXEL BARDEZ GOA

Phone No. (0832)2272272 Email: - vpofficeoxel@gmail.com

No. VP/Oxel/ RTI/2024-25/441 Dated:- 24.8.2024

To,
Capt. Brian Fernandes,
Aradi -Oxel,
Bardez-Goa.

Sub: Application under Right to Information Act 2005

Sir,

With reference to your application dated 26.07.2024, bearing this VP Office inward no 384/26.7.2024 on the above cited subject, is as under

1. As per point No. 1 of your application, information is NIL
2. As per point No. 2 of your application, information is NIL

With this reply and information, your above mentioned application is duly disposed off nder the RTI Act 2005.

VILLAGE PANCHAYAT OXEL BARDEZ GOA

Yours faithfully,

P.I.O. under R. T. I.
& V. P. Secretary
OXEL, BARDEZ - GOA

26/8/2024

Information about water shortfall and supply received from the P.W.D.

Constituencywise total Demand, Supply and Shortfall

Sr. No.	Name of Constituency	Total Demand in MLD	Total Supplied in MLD	Total Shortfall in MLD	Action for catering shortfall & time frame
1	2	3	4	5	6
1	Mapusa	17.99	15.00	2.99	30 MLD Retrofitting of existing Assonora Water Supply Scheme to be commissioned by October 2024
2	Tivim	17.67	12.50	5.17	
3	Aldona	12.88	10.61	2.27	
4	Calangute	16.35	9.11	7.24	
5	Siolim	15.47	8.40	7.07	
6	Porvorim	17.74	17.74	0.00	5.6 MLD Pressure Filter Plant to be commissioned by July 2024
7	Saligao	17.66	15	2.66	
	Bardez Taluka	**115.76**	**88.36**	**27.40**	

True Copy
Issued Under RTI Act

Executive Engineer
W.D. XVII (PHE-N)
P.W.D. Porvorim

[Article published in the 'OHeraldO' newspaper, dt. 13th April 2024]

News Today

Siolim residents face water scarcity for last 6 months, demand resolution

Threaten to take it to the streets if scarcity not resolved

Herald Team

Published on: 13 Apr 2024, 11:08 pm

Siolim is currently facing a water crisis that has left its residents angered and frustrated. For the past 6 months, the village has been struggling with severe water scarcity, with approximately 30 to 35 houses facing a shortage of water supply. This dire situation has left the residents questioning the authorities and their development efforts.

39

However, the residents of Siolim have been forced to resort to buying bottled water for drinking and cooking, due to the negligence of the authorities. "Where is the development that was assured to be undertaken in our village. Water supply is a basic need" people questioned.

In a recent incident, a resident of Siolim vented his frustration, stating that when they approached the authorities to address the water shortage, they simply blamed the degraded pipeline connecting to their area for the lack of water pressure. He further questioned how the new bungalow constructions in their village have 24/7 water supply, while the villagers struggle to even have water to drink and cook? "It is simply unacceptable" people said.

To add insult to injury, the ward member has been supplying water tankers, but only a few households have access to this facility due to the narrow roads which disallows the water tankers from reaching their houses. The residents have urged the authorities to connect their area to the Caisua water pipeline, which will ensure quicker and more efficient solution to their water woes.

Meanwhile, people have informed that the existing water pipeline in Siolim is over 60 years old and has not been replaced. The outdated pipeline is unable to handle the growing population and their water needs. The new water pipeline that is currently being installed is not even for the village of Siolim but for the neighboring villages of Caisua and Badem.

Frustrated and fed up with the authorities' lack of action, the residents of Siolim have made it clear that they will not back down until this issue is addressed. A resident has stated that the people will take it to the streets and stop the ongoing work.

Panch member Siolim said that they are taking necessary actions and this issue will be resolved soon, "I just request the residents to bear this for a few days" she said.

Siolim locals slam PWD authorities for irregular water supply in village *[Article dt. 16th April 2024]*

Severe water crisis plagues parts of Siolim, locals demand quick action

THE GOAN NETWORK | APRIL 16, 2024, 12:40 AM IST

Share
Facebook
Twitter
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MAPUSA

Parts of Siolim have been grappling with a severe water shortage, leaving them frustrated and disillusioned with the promises of development made by the authorities.

Two weeks back, residents of Bamonvaddo, Siolim complained about irregular water supply. Now, at least 30 households in the Waddi, Siolim area are bearing the brunt of the distressing situation, struggling to secure their daily water supply.

Despite repeated appeals to the authorities, the residents find themselves resorting to purchasing packaged water for drinking and cooking, highlighting the failure of the system to rectify the water shortage.

Questions loom over the efficacy of development initiatives promised to the village, with residents slamming the authorities for failing to provide basic needs to the villagers.

"We are getting water in a trickle for just half an hour daily which is enough to fill just a couple of buckets. For the last six months we have been facing this ordeal. How long are we going to tolerate this," a local lamented.

The villagers said that a local panchayat member tried to alleviate the crisis by supplying water tankers but the narrow roads in the area hinder the tankers from reaching many households, rendering the assistance inadequate.

"We are trying to resolve the problem of the residents in the area. The local MLA is seized of the matter and has assured to find a way out to resolve the problem," said Fermina Fernandes, the panchayat ward member of the area.

The residents have urged the authorities to connect their area to the Caisua water pipeline for a swifter and more efficient resolution to their woes.

The villagers have informed that the existing water pipeline in Siolim is over 60 years old and has not been replaced, leading to its inability to meet the growing population's demands.

Furthermore, the new water pipeline under installation is not intended for Siolim but for neighboring villages of Badem and Caisua.

In response to the authorities' inaction, frustrated residents have vowed to escalate their protests until their demands are met.

Threats of street demonstrations and halting ongoing pipeline work loom large as the villagers refuse to relent until a sustainable solution to the water crisis is implemented.

The plight of Siolim villagers serves as a stark reminder of the urgent need for infrastructure development and efficient governance to address the fundamental needs of the populace.

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.772 OF 2023

MOHINDER KAUR PAINTAL … Petitioner

Versus

STATE OF GOA,
THR CHIEF SECRETARY AND 3 ORS. …Respondents

Ms S. Lata, Advocate for the Petitioner.
Mr D. Pangam, Advocate General with Ms Maria Correia, Additional Government Advocate for Respondent Nos. 1 and 2.
Mr Pranay Kamat, Advocate for Respondent No.3.
Mr Parag Rao, Mr Akhil Parrikar and Mr A. Menon, Advocates for Respondent No.4.

CORAM: M. S. SONAK &
AVINASH G. GHAROTE, JJ

DATED : 27th MARCH 2024

ORAL ORDER :

1. Heard the learned counsel for the parties.

2. On 27.03.2024, we heard the learned counsel for the parties and the learned Advocate General on the issue of protection of water bodies in the list submitted by the learned Advocate General, which was marked 'X' for the purpose of identification vide order dated 20.03.2024.

3. The learned Advocate General submitted that the Hon'ble Supreme Court is monitoring the protection of water bodies throughout

the country in the case of ***M. K. Balakrishnan and others Vs Union of India and others***[1]. The learned Advocate General refers to some of the orders made by the Hon'ble Supreme Court in *M. K. Balakrishnan* (supra).

4. The learned Advocate General submitted that in terms of the order made by the Hon'ble Supreme Court, the State Government is also undertaking the exercise of identifying the water bodies in the State of Goa and is committed to taking measures for the protection of such water bodies. However, he submitted that all such water bodies may not amount to wetlands under the Wetlands (Conservation and Management) Rules, 2017. He, therefore, submitted that the blanket order extending the protection of Rule 4 of the 2017 Rules to all water bodies identified in the list marked as 'X' may not be appropriate. He submitted that some water bodies are mining pits or small ponds. He submitted that the dimension in the list states the area of water bodies in square metres and not acres. He submitted that the officials of the Water Resources Department will inspect these water bodies. If any steps are necessary for maintaining water bodies, such steps would also be taken.

5. Though we appreciate the assurance on behalf of the State that necessary steps would be taken to protect the water bodies in the State of Goa, our concern is that until the process of identification or determining the steps that are required to be undertaken is completed, there are

[1] Writ Petition (Civil) No.230/2001

instances of such water bodies being filled in or otherwise destroyed regardless of environment damage and degradation for such filling up or destruction invariably occasioned.

6. Faced with a somewhat similar predicament, the Hon'ble Supreme Court, in its order dated 08.02.2017 in *M. K. Balakrishnan* (supra), granted the Respondents sufficient time to complete the procedure but directed that the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 would apply to 2,01,503 wetlands that the Union of India has mapped. The Union of India was directed to identify and inventorise all these 2,01,503 wetlands with the assistance of the State Governments that would be subject to the principles of Rule 4 of the 2010 Rules.

7. Similarly, in its order dated 04.10.2017 in *M. K. Balakrishnan* (supra), the Hon'ble Supreme Court granted the Space Application Centre (SAC) 12 to 18 months' time to make an inventory of 1,75,740 wetlands. However, the Hon'ble Supreme Court observed that since the wetlands were diminishing, it was very likely that many more would disappear by the time the Space Application Centre completed the task. Accordingly, the Hon'ble Supreme Court clarified and reiterated that in terms of the earlier order dated 08.02.2017, 2,01,503 wetlands that the Union of India had mapped should continue to be protected on the same principles as were formulated in Rule 4 of the Wetlands Rules 2010.

8. In the order dated 10.07.2023 in *M. K. Balakrishnan* (supra), the Hon'ble Supreme Court noted that since its orders dated 04.02.2017 and 04.10.2017, there had been a material change in the extent of wetlands identified under the Indian Wetlands Atlas 2021 prepared by ISRO and that such wetlands have increased from 2.01 lakh hectares to 2.31 lakh hectares.

9. The learned Advocate General for the State of Goa placed all the above orders on record. From the orders, it is evident that the Hon'ble Supreme Court felt impelled to extend the protection of Rule 4 of the Wetlands Rules to the wetlands areas mapped or otherwise identified even before any formal identifications are issued to declare them as wetlands under the 2010 or 2017 Rules. This is because until the processes are completed, there is a serious concern about such water bodies diminishing or being destroyed for various reasons, including but not restricted to commercial exploitation.

10. Fortunately, the State of Goa has been blessed with several water bodies, as evident from the list made available to this Court by the Water Resources Department. Still, there is a shortage of water, particularly during the summer months of April and May. Therefore, unless steps are taken to protect the water bodies in the State of Goa in earnest, this most essential and valuable resource will diminish to the detriment of the public interest. There is an increase in construction activity, both legal and illegal. There is considerable urbanisation, which puts pressure on

valuable resources like water. For all these reasons, the State must take adequate steps to protect the water bodies and prevent their destruction.

11. Accordingly, we direct the State of Goa, including the Water Resources Department, to take all necessary and adequate measures to protect the water bodies in the State of Goa, including those listed in the document marked as 'X' for the purpose of identification in our order dated 20.03.2024.

12. The Water Resources Department must inspect the water bodies in the document marked 'X' once again and undertake maintenance and protective measures within some reasonable period. This is because the list refers to several water bodies against which there is a remark of "needs maintenance". Accordingly, it would be appropriate for the Water Resources Department to undertake a survey and inspect wherever water bodies need maintenance to carry out such maintenance and take protective measures.

13. The list marked 'X' includes water bodies in private properties. Accordingly, the WRD officials must inspect these water bodies and collect data, which would include the area, condition, capacity, names of persons who control these water bodies, etc. Besides, the WRD officials must impress upon such private parties the necessity to maintain and conserve such water bodies. The WRD officials must also apprise the private parties of the various legal restrictions when it comes to filling up these water bodies or otherwise destroying them. This exercise must also

be undertaken earnestly by the WRD and completed within some reasonable time.

14. The WRD must file a status report of compliance by 24.06.2024 in this Court. All concerned to act on an authenticated copy of this order.

AVINASH G. GHAROTE, J **M. S. SONAK, J**

AMRUT NAGESH TARI Digitally signed by AMRUT NAGESH TARI
Date: 2024.04.08 11:24:32 +05'30'

[Extract of list]

20/5/24

Office of the Chief Engineer
Government of Goa
Water Resources Department
Sinchai Bhawan, Porvorim Goa.

No. 9/5/EO CE-WRD/2023-24/5606 Dated: 19/03/2024

To,
The Member Secretary,
Goa State Wetlands Authority,
C/o Goa State Biodiversity Board,
1st floor, Dept. of Science, Technology and
Environment,
Opposite Saligao Seminary,
Saligao Goa.

Sir,

Please find enclosed list of water bodies in the state of Goa. It is to further state that the survey of water bodies have been done and the process of third party verification is yet to be carried out.

Yours faithfully,

(P. B. Badami) 19/08/24
Chief Engineer(WR)

BOMBAY AT GOA
सत्यमेव जयते
PORVORIM-GOA

Encl: As above.

									name	wb_type	owner_type	purpose	construction	condition	facearea	age capacity	D
									Vajryachi Pali	Pond	Communidade	Irrigation	Man Made	Needs Maintenance	1312	1673	N
									Gharbhat	Tank	Private	Storage	Natural/Man Made	Good	54	138	N
Bardez	04 - Tivim	Camurlim	Camurlim	77	6	15.6456	73.80841	Ba/Camu/07	Vaddli Bhawan	Tank	Communidade	Irrigation	Natural/Man Made	Good	229	584	N
Bardez	04 - Tivim	Camurlim	Camurlim	110	0	15.63159	73.80787	Ba/Camu/08	Maina Or Dharachi Muddi	Pond	Communidade	Storage	Natural	Needs Maintenance	361	460	N
Bardez	04 - Tivim	Camurlim	Camurlim	178	14	15.63856	73.78379	Ba/Camu/11	Bhatchivar	Pond	Communidade	Irrigation	Natural	Needs Maintenance	34	43	N
Bardez	04 - Tivim	Camurlim	Camurlim	181	8	15.6391	73.78416	Ba/Camu/04	Khairat	Tank	Communidade	Irrigation	Natural/Man Made	Needs Maintenance	658	1678	N
Bardez	04 - Tivim	Camurlim	Camurlim	188	7	15.64159	73.78401	Ba/Camu/09	Muddo	Tank	Private	Irrigation	Man Made	Good	89	204	N
Bardez	04 - Tivim	Camurlim	Camurlim	190	9	15.64321	73.7831	Ba/Camu/03	Kerchi Madhali Lot Or Khaichi Tali	Pond	Communidade	Irrigation	Natural	Needs Maintenance	1357	1738	N
Bardez	04 - Tivim	Camurlim	Camurlim	191	14	15.64375	73.78447	Ba/Camu/01	Kerachi Namas	Tank	Communidade	Irrigation	Man Made	Good	1012	2581	N
Bardez	04 - Tivim	Camurlim	Camurlim	191	2	15.64411	73.78443	Ba/Camu/02	Sarada Ker Or Kerachi Namas	Tank	Communidade	Irrigation	Man Made	Good	892	2275	N
Bardez	04 - Tivim	Camurlim	Camurlim	196	1	15.64524	73.78439	Ba/Camu/05	Kercho Talo	Tank	Communidade	Irrigation	Natural/Man Made	Good	479	1221	N
Bardez	04 - Tivim	Camurlim	Camurlim	198	19	15.64258	73.78154	Ba/Camu/06	Namas	Tank	Communidade	Irrigation	Man Made	Good	358	913	N
Bardez	04 - Tivim	Colvale	Colvale	71	1	15.63927	73.8358	Ba/Colv/03	Talacha Bhat	Tank	Communidade	Irrigation	Natural	Needs Maintenance	553	705	N
Bardez	04 - Tivim	Colvale	Colvale	71	4	15.63892	73.836	Ba/Colv/01	Taleshwar Temple Tank; Talachem Bhat	Pond	Communidade	Storage	Man Made	Good	528	1795	N
Bardez	04 - Tivim	Colvale	Colvale	74	1	15.63979	73.83449	Ba/Colv/02	Solicho Ack	Temple Tank	Communidade	Irrigation	Man Made	Good	368	938	N
Bardez	04 - Tivim	Colvale	Colvale	74	4	15.63975	73.83619	Ba/Colv/06	Colvale Sping	Tank	Communidade	Irrigation	Natural/Man Made	Needs Maintenance	126	54	N
Bardez	04 - Tivim	Colvale	Colvale	78	3	15.64082	73.83416	Ba/Colv/05	Mushicho Ack	Spring	Communidade	Storage	Natural	Needs Maintenance	102	130	N
Bardez	04 - Tivim	Colvale	Colvale	278	1	15.63986	73.81525	Ba/Colv/04	Avanal	Pond	Communidade	Storage	Natural	Needs Maintenance	118	150	N
Bardez	04 - Tivim	Nadora	Nadora	7	5	15.6603	73.86725	Ba/Nado/03	Jambhuche Bhat	Pond	Private	Storage	Man Made	Dry	42	187	N
Bardez	04 - Tivim	Nadora	Nadora	7	2	15.66241	73.86645	Ba/Nado/02	Jamnuche Bhat	Tank	Communidade	Storage	Man Made	Good	55	140	N
Bardez	04 - Tivim	Nadora	Nadora	95	0	15.66816	73.86416	Ba/Nado/01	Tali	Tank	Public	Irrigation	Natural	Needs Maintenance	2131	5434	N
Bardez	04 - Tivim	Pirna	Pirna	0	West of 24	15.67968	73.88155	Ba/Pirn/02	Dhove	Lake	Public	Irrigation	Man Made	Good	899	2292	N
Bardez	04 - Tivim	Pirna	Pirna	68	3	15.67519	73.89888	Ba/Pirn/01	Vailem Kulan	Quarry/Mining Pit	Private	Natural Collection	Man Made	N/A	1180	7522	N
Bardez	04 - Tivim	Pirna	Pirna	107	10	15.66756	73.8956	Ba/Pirn/03	Tokdobachi Ak	Pond	Communidade	Storage	Natural	Needs Maintenance	1256	1614	N
Bardez	04 - Tivim	Revora	Revora	19	9	15.66555	73.85017	Ba/Revo/13	Kunang	Pond	Communidade / Public	Storage	Natural	Needs Maintenance	139	177	N
Bardez	04 - Tivim	Revora	Revora	21	12	15.66482	73.85226	Ba/Revo/10	Bimbecho Ak	Tank	Communidade	Storage	Man Made	Good	110	230	N
Bardez	04 - Tivim	Revora	Revora	33	4	15.66196	73.85416	Ba/Revo/14	Shimalda	Pond	Private	Storage	Natural	Needs Maintenance	59	75	N
Bardez	04 - Tivim	Revora	Revora	36	2	15.66257	73.85341	Ba/Revo/09	Escrivachi Namas	Pond	Communidade	Storage	Natural	Needs Maintenance	271	346	N
Bardez	04 - Tivim	Revora	Revora	37	4	15.66067	73.85348	Ba/Revo/07	Virgacho Horta	Tank	Private	Irrigation	Natural/Man Made	Good	180	459	N
Bardez	04 - Tivim	Revora	Revora	37	45113	15.66035	73.85305	Ba/Revo/06	Virgacho,Virgacho Horta	Pond	Private	Storage	Natural	Needs Maintenance	1847	1335	N
Bardez	04 - Tivim	Revora	Revora	41	2	15.6639	73.85217	Ba/Revo/12	Mugiak	Pond	Communidade	Storage	Natural	Needs Maintenance	151	133	N
Bardez	04 - Tivim	Revora	Revora	58	18	15.65912	73.84888	Ba/Revo/15	Koporo	Pond	Communidade	Irrigation	Natural	Needs Maintenance	49	62	N
Bardez	04 - Tivim	Revora	Revora	61	3	15.65885	73.84929	Ba/Revo/08	Mott	Tank	Public	Irrigation	Man Made	Needs Maintenance	173	441	N
Bardez	04 - Tivim	Revora	Revora	112	18	15.65051	73.85963	Ba/Revo/05	Mestachi Namas	Quarry/Mining Pit	Communidade / Public	Storage	Natural	N/A	1065	6789	N
Bardez	04 - Tivim	Revora	Revora	130	2	15.64882	73.84957	Ba/Revo/16	Brahman Spring; Karkicho Hal	Spring	Private	Irrigation	Natural	Needs Maintenance	49	17	N
Bardez	04 - Tivim	Revora	Revora	135	0	15.64571	73.85682	Ba/Revo/03	Vhodlo Mad	Quarry/Mining Pit	Communidade	Storage	Natural	N/A	3058	19444	N
Bardez	04 - Tivim	Revora	Revora	135	0	15.64507	73.85902	Ba/Revo/02	Vhodlo Mad	Quarry/Mining Pit	Communidade	Storage	Natural	N/A	4288	27336	N
Bardez	04 - Tivim	Revora	Revora	135	0	15.64296	73.85755	Ba/Revo/01	Vhodlo Mad	Quarry/Mining Pit	Communidade	Storage	Natural	N/A	7778	49534	N
Bardez	04 - Tivim	Revora	Revora	172	0	15.65712	73.84443	Ba/Revo/11	Kusto Ak	Pond	Communidade	Storage	Natural	Needs Maintenance	171	218	N
Bardez	04 - Tivim	Sirsaim	Sircaim	40	35	15.61707	73.88134	Ba/Sirc/02	Bandurly, Bhaunicho Aco,Capel Wado, Gudo, Sapavad,Surangicho Aco	Pond	Private	Irrigation	Natural	Needs Maintenance	1213	1547	N
Bardez	04 - Tivim	Sirsaim	Sircaim	41	16	15.6169	73.881	Ba/Sirc/03	Daarer; Sancou Wado	Spring	Communidade	Irrigation	Natural	Needs Maintenance	38	16	N
Bardez	04 - Tivim	Sirsaim	Sircaim	117	1,3	15.62681	73.87312	Ba/Sirc/01	Dharcha Set,Dharda Set	Lake	Communidade	Irrigation	Natural	Needs Maintenance	4841	12345	N
Bardez	04 - Tivim	Tivim	Tivim	0	North of 132	15.63639	73.86473	Ba/Tivi/06	--	Pond	Public	Irrigation	Natural	Needs Maintenance	1832	2336	N
Bardez	04 - Tivim	Tivim	Tivim	47	13	15.63784	73.86701	Ba/Tivi/09	Wadye	Tank	Private	Irrigation	Man Made	Good	98	258	N
Bardez	04 - Tivim	Tivim	Tivim	78	17	15.64728	73.87926	Ba/Tivi/01	Kausa	Mining Pit	Private	Storage	Man Made	N/A	16665	283385	N
Bardez	04 - Tivim	Tivim	Tivim	79	1	15.64806	73.87738	Ba/Tivi/04	--	Tank	Private	Storage	Natural	Needs Maintenance	1278	3259	N
Bardez	04 - Tivim	Tivim	Tivim	106	9	15.63297	73.871	Ba/Tivi/08	--	Tank	Communidade	Irrigation	Man Made	Good	261	666	N
Bardez	04 - Tivim	Tivim	Tivim	505	0	15.63482	73.84797	Ba/Tivi/07	--	Pond	Private	Storage	Natural	Needs Maintenance	1083	1279	N
Bardez	04 - Tivim	Tivim	Tivim	522	2	15.62668	73.84135	Ba/Tivi/02	MahaGanapati Temple Tank; Dew-shett	Temple Tank	Communidade	Irrigation	Man Made	Good	2762	9391	N
Bardez	04 - Tivim	Tivim	Tivim	528	15	15.62543	73.84351	Ba/Tivi/05	Ruichi-pati	Pond	Communidade	Irrigation	Natural	Needs Maintenance	1884	2402	N
Bardez	04 - Tivim	Tivim	Tivim	529	4	15.62468	73.84552	Ba/Tivi/03	Tala	Tank	Communidade	Storage	Man Made	Good	1787	4557	N
Bardez	05 - Mapusa	Mapusa	Mapusa	23	66	15.60354	73.8063	Ba/Mapu/04	--	Spring	Public	Irrigation	Natural/Man Made	Good	14	10	N
Bardez	05 - Mapusa	Mapusa	Mapusa	23	66	15.60347	73.8061	Ba/Mapu/05	--	Spring	Public	Irrigation	Natural/Man Made	Needs Maintenance	14	10	N
Bardez	05 - Mapusa	Mapusa	Mapusa	41	65	15.60319	73.80883	Ba/Mapu/02	--	Tank	Public	Irrigation	Man Made	Good	13	46	N
Bardez	05 - Mapusa	Mapusa	Mapusa	32	2	15.5991	73.8247	Ba/Mapu/03	Chedi Spring	Spring	Public	Domestic	Natural/Man Made	Needs Maintenance	19	10	N
Bardez	05 - Mapusa	Mapusa	Mapusa	145	2/8-A	15.58942	73.80881	Ba/Mapu/01	--	Pond	Communidade	Storage	Natural	Needs Maintenance	213	272	N
Bardez	06 - Siolim	Anjuna	Anjuna	0	North of 547	15.59248	73.76128	Ba/Anju/14	--	Pond	Public	Irrigation	Natural/Man Made	Good	100	128	N
Bardez	06 - Siolim	Anjuna	Anjuna	2	32	15.58068	73.75501	Ba/Anju/08	Palxet	Pond	Communidade	Storage	Natural	Needs Maintenance	643	820	N
Bardez	06 - Siolim	Anjuna	Anjuna	8	21	15.57704	73.75751	Ba/Anju/02	Bhatlem	Pond	Private	Natural Collection	Natural	Good	3319	4232	N
Bardez	06 - Siolim	Anjuna	Anjuna	8	2	15.57736	73.75555	Ba/Anju/10	Dhatulem	Pond	Private	Irrigation	Natural	Good	332	423	N
Bardez	06 - Siolim	Anjuna	Anjuna	14	22	15.57579	73.75323	Ba/Anju/07	--	Pond	Public	Storage	Natural	Needs Maintenance	713	909	N
Bardez	06 - Siolim	Anjuna	Anjuna	23	16	15.57634	73.75012	Ba/Anju/03	--	Pond	Communidade	Storage	Natural	Needs Maintenance	1215	1549	N
Bardez	06 - Siolim	Anjuna	Anjuna	114	63	15.57853	73.74353	Ba/Anju/06	Tumxet	Pond	Communidade	Storage	Natural	Needs Maintenance	873	1113	N
Bardez	06 - Siolim	Anjuna	Anjuna	250	0	15.5927	73.74865	Ba/Anju/11	Vagatore	Pond	Communidade / Pvt	Storage	Natural	Needs Maintenance	243	310	N
Bardez	06 - Siolim	Anjuna	Anjuna	265	35	15.5853	73.74931	Ba/Anju/09	Rautawado	Pond	Private	Irrigation	Natural	Needs Maintenance	339	432	N
Bardez	06 - Siolim	Anjuna	Anjuna	396	10	15.60508	73.75007	Ba/Anju/15	Zariwado	Spring	Private	Storage	Natural/Man Made	Dry	26	11	N
Bardez	06 - Siolim	Anjuna	Anjuna	479	4	15.59062	73.76692	Ba/Anju/12	Kumarwada	Tank	Communidade	Irrigation	Natural/Man Made	Good	107	273	N
Bardez	06 - Siolim	Anjuna	Anjuna	531	1	15.58448	73.75462	Ba/Anju/05	Foneseth	Tank	Communidade	Irrigation	Man Made	Good	482	1229	N
Bardez	06 - Siolim	Anjuna	Anjuna	593	1	15.58839	73.75099	Ba/Anju/01	Anjuna Lake; Tolencalo Bandar	Lake	Public	Irrigation	Man Made	Good	3270	8338	N
Bardez	06 - Siolim	Anjuna	Anjuna	600	7	15.5912	73.75903	Ba/Anju/13	Bhatu	Tank	Communidade	Irrigation	Natural	Needs Maintenance	62	158	N
Bardez	06 - Siolim	Anjuna	Anjuna	609	17	15.58338	73.75408	Ba/Anju/04	Konshet	Pond	Communidade	Storage	Natural	Needs Maintenance	1056	1346	N
Bardez	06 - Siolim	Assagao	Assagao	44	3	15.60557	73.75743	Ba/Assa/08	Badem	Pond	Private	Storage	Natural	Needs Maintenance	92	117	N
Bardez	06 - Siolim	Assagao	Assagao	76	1	15.60933	73.76168	Ba/Assa/02	Afaramet Wadi	Pond	Private	Irrigation	LDPE Sheets	Good	521	664	N
Bardez	06 - Siolim	Assagao	Assagao	77	1	15.60406	73.75843	Ba/Assa/06	Badem	Pond	Private	Storage	Natural	Needs Maintenance	129	164	N
Bardez	06 - Siolim	Assagao	Assagao	78	1	15.60318	73.75885	Ba/Assa/01	Badem	Pond	Communidade	Storage	Natural	Needs Maintenance	1183	1598	N
Bardez	06 - Siolim	Assagao	Assagao	83	1	15.60436	73.76182	Ba/Assa/03	Dutta Mandir Temple Tank / Sonarkhed Spring; Badem	Temple Tank	Communidade	Storage	Man Made	Good	134	456	N
Bardez	06 - Siolim	Assagao	Assagao	145	1-E	15.60596	73.80054	Ba/Assa/10	Bairo Alto Spring; Wall	Spring	Communidade	Irrigation	Natural/Man Made	Needs Maintenance	64	27	N
Bardez	06 - Siolim	Assagao	Assagao	154	55	15.60121	73.79641	Ba/Assa/05	Assagao Spring; Tale Kaligan	Spring	Private	Irrigation	Man Made	Needs Maintenance	493	210	N
Bardez	06 - Siolim	Assagao	Assagao	172	39	15.59949	73.79405	Ba/Assa/04	Audumbar Dattatrey Temple Tank; Valle	Temple Tank	Public	Storage	Man Made	Needs Maintenance	82	279	N
Bardez	06 - Siolim	Assagao	Assagao	235	16	15.59359	73.77156	Ba/Assa/09	Temar	Pond	Communidade	Irrigation	Natural	Needs Maintenance	27	34	N
Bardez	06 - Siolim	Assagao	Assagao	237	14	15.5889	73.77186	Ba/Assa/12	Dossa Zor; Bhowtowado	Spring	Communidade	Storage	Natural/Man Made	Good	10	10	N
Bardez	06 - Siolim	Assagao	Assagao	242	22	15.59589	73.76801	Ba/Assa/11	Wadachi Pat	Pond	Communidade	Irrigation	Natural	Needs Maintenance	17	22	N
Bardez	06 - Siolim	Assagao	Assagao	251	9	15.59921	73.76424	Ba/Assa/07	Redisal	Tank	Private	Irrigation	Man Made	Good	62	158	N
Bardez	06 - Siolim	Oxel	Oxel	16	1	15.63683	73.77544	Ba/Oxel/01	Agavor Sheviche Khajan	Tank	Private	Irrigation	Man Made	Good	689	1757	N
Bardez	06 - Siolim	Oxel	Oxel	31	1C	15.635	73.7875	Ba/Oxel/03	Oxel Vahal	Spring	Private	Irrigation	Natural	Needs Maintenance	35	15	N
Bardez	06 - Siolim	Oxel	Oxel	39	13	15.63323	73.78336	Ba/Oxel/02	Fulzad	Pond	Private	Irrigation	Natural	Needs Maintenance	23	29	N
Bardez	06 - Siolim	Oxel	Oxel	51	22	15.63053	73.77841	Ba/Oxel/04	Oxel Spring; Mali	Spring	Private	Storage	Natural/Man Made	Good	35	15	N
Bardez	06 - Siolim	Oxel	Oxel	82	11	15.62781	73.77279	Ba/Oxel/05	Kuantali	Spring	Private	Storage	Natural/Man Made	Good	20	10	N
Bardez	06 - Siolim	Siolim-Sodiem	Siolim	9	5	15.6201	73.78055	Ba/Siol/02	Pariachi Colsul	Tank	Communidade	Irrigation	Man Made	Good	119	303	N

Typed copy of entry in list on pg. **48**, pertaining to Oxel spring water body

Taluka	Constituency	Panchayat /village	Sy. No.	Name	Water body type	Owner type	Purpose	Construction	Condition
Bardez	06 - Siolim	Oxel	51/22	Oxel Spring; Mali	Spring	Private	Storage	Natural/ Man Made	Good

CE - 1042

To,
The Chief Engineer
Water Resource Department
Sinchai Bhavan, Near Police Station
Porvorim, Bardez, Goa. 403157.

Date: May 15, 2024.

Subject: Plea to Map Catchment area of 5 Oxel Natural Springs, its Aquifers & Riparial Flow in Public Interest to Save Them from Irreversible Environmental Damage Due to Construction of Multi-Dwelling Units in its Close Proximity.

With reference to the captioned subject, we the residents of Oxel (Siolim) Village in public interest and to protect our health & lives request you to please ***URGENTLY*** *map the catchment area & the aquifers of the 5 Oxel Springs classified by your Water Resources Department for the following reasons:*

1. Several multi-dwelling units are being planned or are in the process of being constructed in Oxel (Siolim) Village in very close proximity to the Oxel Springs, especially at the Survey No. 51/21 of Oxel Village wherein construction of 8 villas are planned within a distance of 28 meters which will severely damage the path of the Oxel Spring flow and its aquifers.
2. That any construction of multi-dwelling villas in close proximity of the Oxel Springs will cause serious ground water damage to the aquifers of spring due to contamination that will be caused by the septic tanks and soak pits.
3. That most residents of Oxel Village use these Spring waters for human consumption, cooking and bathing and considerably value the water for its health benefits since times immemorial. Therefore, any construction within the catchment area of the Oxel Spring will cause serious health issues.
4. That large-scale cutting of trees and clearing of bushes for the multi-dwelling housing projects will cause the ground water to deplete as these proposed multi-dwelling units are within the catchment area Oxel springs, besides causing severe soil erosion.
5. That the construction of large-size septic tanks in these multi-dwelling projects not only threatens the contamination of the ground water aquifers, but also the Spring water flow, in particular to the project in Survey No.

15/05/2024
W.R.D.

51/21 of Oxel Village as its within 28 meters of the spring where large area of land has been excavated and substantial amount of cement and steel will be poured in the ground which will cause irreversible environmental damage to the ground water flow to the spring and the aquifers therefore the URGENCY in mapping the catchment area of the spring so as to protect its catchment area for conservation and protection.

6. The riparian flow of the Oxel Springs also feeds the crucial village wells, ponds and waterbodies and any damage to these Springs will be life-threatening to not only humans, but also to the bird, animal and other lives.
7. The Catchment areas of Oxel Springs are biodiversity hotspots hosting a large number of age-old rainforest, fruit and berry trees, bushes, flora & fauna, animals, reptiles, fishes, birds, butterflies, insects, micro-organisms, plant life, etc. These berries are regularly harvested by the locals for human consumption every summer. Any attempt to concretise these eco-sensitive areas will cause irreversible environmental damage and will spell a death-knell to these Oxel Springs, therefore the **URGENCY** in mapping the Catchment areas for conservation and protection.
8. That considering the serious threat faced by the 5 Oxel classified springs, we request you to please depute your hydrologist and other experts to **URGENTLY** map the catchment areas of these springs and its riparian flow and provide us certified copies of the same so as to enable us to conserve and protect them from any damage due to construction or other activities.

Sincerely Yours

(Bluma Lobo)
Arradi Oxel,Siolim
Mob:9823419584

(Suraj Chodankar)
Madhlembhat,Siolim
Mob:9923302989

(Nubert Fernandes)
Khairat,Camurlim
Mob:9130284502

To,
The Chief Engineer
Water Resource Department
Sinchai Bhavan, Near Police Station
Porvorim, Bardez, Goa. 403157.

Date: June 03, 2024.

Subject: Our letter dated 15/05/2024 with a Plea to Map Catchment area of 5 Oxel Natural Springs, its Aquifers & Riparian Flow in Public Interest to Save Them from Irreversible Environmental Damage Due to Construction of Multi-Dwelling Units.

With reference to the captioned subject, we the residents of Oxel (Siolim) Village in public interest wish to state as under:

1. That vide our captioned letter dated 15/05/2024, we the undersigned had made an **URGENT** plea to you to map the catchment area and the aquifers of the 5 Oxel which are classified by the Water Resources Department as natural springs in order to protect our health, lives, the environment and our water resources.
2. That for reasons best known to you, you have failed to respond despite our **URGENT** request considering the fact that the 5 natural springs in Oxel, Siolim are facing the serious danger of getting destroyed due to construction activities in its close proximity. In this context and to avoid repetition, we reiterate the contents of our letter dated 15/05/2024.
3. Considering the serious threat faced by the 5 natural springs in Oxel classified by your WRD office, we once again request you to please depute your hydrologist and other experts to **URGENTLY** map the catchment areas of these springs and its riparian flow and provide us certified copies of the same so as to enable us to conserve and protect them from any damage due to construction or other activities that will damage its eco-system, failing which we will be compelled to initiate appropriate legal action in public interest, which please note.

Sincerely Yours

(Bluma Lobo)
Arradi Oxel, Siolim
Mobile No. 9823419584

(Suraj Chodankar)
Madhlembhat, Siolim
Mobile No. 9923302989

(Nubert Fernandes)
Khairat, Camurlim
Mobile No. 9130284502

Received/Filed
CE, W.R.D. 3/06/24

CE, WRD
Sinchai Bhawan
Alto-Porvorim, Goa
Inward No. 1511/144
Date/Time 3/6/24

RECEIVED
Government of Goa
Secretariat, Porvorim
11 JUL 2024

To,

1. The Chief Secretary
Government of Goa
Secretariat, Porvorim.

2. Chief Town Planner
Town and Country Planning Department
Dempo Towers, 2nd floor
Panaji Goa 403001.

Chief 01/07/2024
Town & Country Planning Department
Government of Goa
Panaji - Goa

3. Deputy Town Planner
Town and Country Planning Department, Mapusa
Government Office Complex building
2nd floor Mapusa, Goa.

01/07/24
Office of Senior Town Planner
Town & Country Planning Dept.
Govt. of Goa
Mapusa - Goa

4. Assistant Engineer
Public Works Department (PWD)
Opp' Bus Stand, Mapusa, Goa.
SDII, WDXIII(R) MAPUSA.

SD IWD XIII(R) PWD
Received by
Date 03/07/24

5. Chief Engineer
Water Resources Department
Sinchai Bhavan, Near Police Station
Porvorim, Bardez, Goa.

Received on 3/7/2024 2861
CE, W.R.D. 03/7/202

6. Sarpanch/Secretary
Village Panchayat of Oxel
Siolim, Bardez, Goa.

Received
Inward No.
Date : 27/06/2024.
V. P. Oxel Bardez - Goa

7. THE Goa Bio diversity Board
Saligao, Bardez, Goa

RECEIVED
Goa State Biodiversity Board
Date: 1/7/2024
Time: 12:52 pm

June 26, 2024.

Sub: Representation against illegal construction in close proximity to the Oxel Natural Spring in Survey No. 51/21 of Oxel Village. Reference: *Construction License from Oxel Panchayat No. VP/OXEL/CONST. LIC/ RESIDENTIAL – BLDG/1304 dated 11/03/2024 & TCP License No. TPB/9421/ OXEL/TCP-2024/1344 dated 07/02/2024.*

Sir/Madam

1. The undersigned are mostly residents of Oxel, Siolim, Bardez, Goa.

2. That 3 entities namely: 1. Jai Santoshi Housing Pvt Ltd and Vinit Sahni represented by Shailesh Shantaram Mandrekar, R/o Tivim, Bardez, Goa; and 3. Rahul Sayal, director, Rara Exports Pvt Ltd., 2 Fern Hill, Chattarpur Farm, Mehrauli, New Delhi. 110030 hereinafter referred to as multi-dwelling project, have obtained approval from Deputy Town Planner vide approval *TCP License No. TPB/9241/ OXEL/TCP-2024/1344 dated*

07/02/2024 in Survey No. 51/21 to construct villas. A copy of this TCP license is attached herewith this letter and marked as **Exhibit 1.**

3. In this background and in the public interest we checked the building plans and found that the Project construction is without the mandatory minimum 6-meter road as the Project proponents themselves have submitted a plan which shows only 4-meter road, based on which the Party No. 3 Senior Town Planner, Mapusa, illegally and fraudently approved the said building plan in violation The Goa Regulation of Land Development and Building Construction Act 2010 and at the relevant time vide approval No. *TPB/9421/ OXEL/TCP-2024/1344 dated 07/02/2024 in Survey No. 51/21.* Annexed hereto is copy of sub-division plan approved by the Town and Country Planning Department, Mapusa and the village Panchayat of Oxel (sourced through RTI) for ready reference and marked as **Exhibit 2.**

4. We had made written representations to the to the Sarpanch/Panchayat Secretary of the Village Panchayat of Oxel vide letters dated 10/05/2024 and 20/05/2024. Subsequently, an inspection was held by the Village Panchayat of Oxel to measure the road width where the multi-dwelling project is located and it was found that the road width is under 6 meters, yet the Oxel Panchayat failed to initiate any action to stop the construction work. A copy of this inspection report is attached here with this complaint for your perusal and marked as **Exhibit 3.**

5. It is for this above reason, we request you to kindly take action and revoke all the permissions/licenses issued to develop in terms and Town & Country Planning Act and /or take legal action to stop the illegal construction and restore the land in its original condition after removal of unauthorised development.

6. It is also noticed that the actual construction line of the said project is very close to the road and does not have the mandatory 3-meter set-back in Survey No 51/21 in Oxel Village.

7. This representation is made in public interest considering the fact that the upcoming project is in very close proximity to the Water Resources Department (WRD), Government of Goa notified Oxel natural spring and hence the urgency in public interest to stop the said Project as it will cause irreversible damage to the natural spring of Oxel and its riparian flow of water and the ground water too as substantial steel and cement is being poured under the ground to lay the foundation to the project, besides septic tank/s are being built that will contaminate the Oxel's natural Spring water. A copy of this WRD notification is attached herewith this complaint and marked as **Exhibit 4.**

8. The multi-dwelling housing project will cause irreversible damage to village environment as the Oxel natural spring water is widely used by the residents of Oxel and nearby villagers for the purpose of drinking and cooking and the spring water is believed to be rich in minerals and therefore its water is also used for bathing.

9. The multi-dwelling housing project will put tremendous pressure on the Oxel Village infrastructure due to the increased traffic on narrow roads, garbage generation, scarce PWD water supply being diverted to feed the 8 swimming pools, washing cars, etc and electricity as Oxel residents have been facing frequent power cuts due to high demand and low supply of electricity.

10. That vide our letter dated 15/05/2024 we had requested the Chief Engineer of the WRD to mark the catchment area of the Oxel natural Spring and its riparian flow. Later, again on 03/07/2024 we submitted a reminder to the Chief Engineer, WRD. Both these letters remain unanswered to-date for reasons best known to the Chief Engineer. Both these letters are attached herewith this letter and marked as **Exhibit 5 & 6** respectively.

11. That for all the above reasons, we the undersigned hereby request Party Nos. 2, 3 and 6 to revoke the licenses, NOCs, technical clearances and all other permissions issued to the multi-dwelling project, Party No. 1 to initiate action against this unlawful and fraudulent approvals granted to this multi-dwelling project, initiate action against Party No. 5 for dereliction of duty to mark the catchment area of the Oxel Spring and its riparian flow of water and failure to respond to our 2 letters.

12. The party No.7 the Goa Biodiversity Board may conduct a site inspection along with the Water Resource Department and report on the viability of the proposed building project and the potential effects on the Oxel springs and the surrounding environment.

Sincerely Yours

(Pearl Colaco Lobo) **(Antonislau Fernandes)** **(Nubert Fernandes)**

Complainants
Arradi, Oxel, Bardez, Goa
Mobile No. 9970226081

ANNEXURE 10

OFFICIAL GAZETTE — GOVT. OF GOA

SERIES I No. 23 *4TH SEPTEMBER, 2014*

———♦♦♦———

Department of Town & Country Planning

——

Order

44/HC/TCP/307/2013/(1498227)/14/3657

Whereas the State Government has come across large number of cases wherein permission for construction of buildings and development permissions have been granted on a proposed/imaginary/non-existent road. This not only has led to inconvenience to public but is also hampering the developments from planning point of view.

In view of this, directions are hereby issued under section 132 of the Goa Town & Country Planning Act, 1974 to all the authorities not to grant any permissions, and not to issue any license for construction or grant any permission for any property development unless there exists a road connecting the plot proposed for development, as is required in terms of Building Construction Regulations. Unless the requisite road infrastructure connecting the plot on which development is proposed is physically available at site, no permission be granted.

The above guidelines shall be strictly complied with. This is issued with the approval of the competent authority.

By order and in the name of the Govenor of Goa.

Parimal Rai, Principal Secretary (TCP).

Porvorim, 8th August, 2014.

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ANNEXURE 11

To,
The Sarpanch/Panchayat Secretary
Village Panchayat of Oxel
Oxel, Siolim, Bardez, Goa.

Inward No. 83
Date : 10/5/2024
V. P. Oxel Bardez - Goa

Date: May 10 , 2024

Subject: Petition in Public interest Plea to Revoke Construction License & Issue Work Stop Orders in Public Interest in Survey Nos. 51/21 & 94/1 of Oxel Village as these Multi-Dwelling Housing Projects will cause Irreversible Environmental Damage.

With reference to the captioned subject, we the undersigned residents of Siolim and Oxel Village in public interest demand to revoke the construction license No. VP/OXEL/CONST – LIC / 2023 – 24 / 121 & the TCP License No. TPB/9014/OXEL/ TCP-2023/9864 in Survey No. 94/1 & Construction No. VP/OXEL/CONST. LIC/ RESIDENTIAL – BLDG/1304 dated 11/03/2024 & the TCP License No. TPB/9421/ OXEL/TCP-2024/1344 dated 07/02/2024 in Survey No. 51/21 for the following reasons:

1. That the 2 captioned multi-dwelling housing projects will cause irreversible damage to village environment as the Oxel village is home to 5 Goa government notified heritage Springs which are rich in minerals and widely used by the people for the purpose of drinking and cooking.
2. That large-scale cutting of trees for the captioned 2 multi-dwelling housing projects will cause the ground water to drop as these are within the catchment area of the 5 springs of Oxel, besides causing soil erosion.
3. That the construction of large-size septic tanks in these 2 captioned projects not only threatens the contamination of the ground water aquifers, but also the Spring water flow, in particular to the project in Survey No. 51/21 of Oxel Village as its within 28 meters of the spring and large amount of cement and steel being poured in the ground will cause irreversible environmental damage to the ground water flow to the spring.
4. Both the above-captioned multi-dwelling housing projects do not have the mandatory 6-metre wide right of way road as mandated under the Goa Land Development Building Construction Regulation 2010 as the existing

road width is only in the range of 3 to 4 meters. Therefore, this is a serious violation of the law. In this context, we request the village Panchayat of Oxel to please conduct an **URGENT** inspection and measure the road width.

5. We also request the Village Panchayat of Oxel to appoint a hydrologist or any other expert of the Goa State Wetland Authority and the Water Resources Department to mark the catchment area of the 5 Oxel Springs and ensure that no construction is allowed within this area and its perihery.
6. That the garbage generated by the captioned 2 projects will cause immense pressure on garbage recycling and disposal.
7. That the Public Works Department (PWD)'s water supply has been very irregular and the flow of water very limited for essential use, therefore the already stretched water pipeline will be under immense pressure as each of the captioned dwelling units will have individual swimming pools and therefore cause immense pressure on the water supply infrastructure. For this reason, these captioned housing projects' license needs to be revoked.
8. As these 2 captioned multi-dwelling projects will require substantial power supply for their housing and air-conditioning, water filteration, internal street lighting, besides their domestic use, etc, the already stretched electric power lines will cause immense pressure on the power supply.
9. None of the multi-dwelling units will be utilised by the Oxel, Siolim villagers and therefore the large influx of people in our village will cause immense socio-cultural differences and disturb the demography of our village.

That in the light of the above facts, the undersigned residents of Village Panchayat of Oxel demand that the construction licences issued to both the captioned projects be revoked and appropriate Stop Work orders be issued as per law in order to safeguard our village environment as our very survival is at stake.

Yours Sincerely

(Bluma Lobo& Others)
Complainants
Aradi Oxel,Siolim

Suraj Chodankar Chodankar Total 219 Signatures

Names	Signatures
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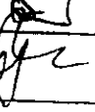
MELVIN FERNANDES	
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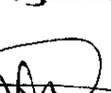
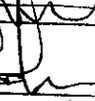
Ashley Barbosa	
Xavier Fond	
NEWTON FERNANDES	
DEAN D'SOUZA	
Evander Noronha	
Jason Franco	
Cicla Fernandes	
Klydivinia L. D'souza	
ANASTASIO MENDES	
ARIANNA MENDES	
MICHAEL MENDES	
Erwin Fonseca	
Isaac Mendes	
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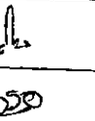
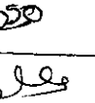
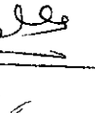
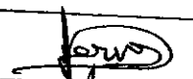
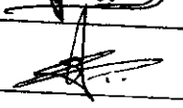
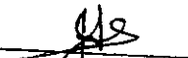
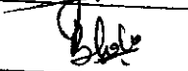
Salish Khandeparkar	
Akshay Rednekar	
BERNARD CARDOSO	
Sidney Fernandes	
Jayant V. Salgaonkar	
Carlton Lobo	

Names	Signatures
DOMNIC FERNANDES	
SEAN FERNANDES	
Joel fernandes	
BERELLE LOBO	
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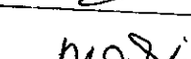
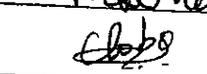
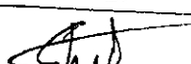
MARIO DIAS	
CHARMAINE LOBO	
SHELDON LOBO	
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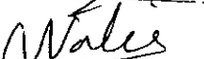
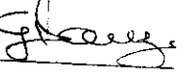
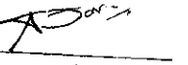
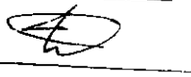
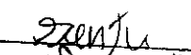
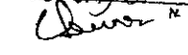
Fr Menino Vales	
GREGORY E. D'SOUZA	
Allan Faria	
FELIX DSOUZA	
SANJU KALANGUTKAR	
CARIDADE FERNANDES	
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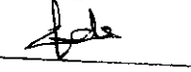
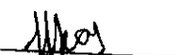
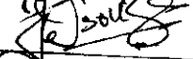
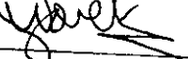
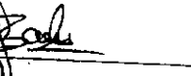
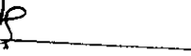
Venancy Fernandes	
Soumya Salgaonkar	
Felina D'souza	
Devanand Goveka	
KALPESH SHIRODKAR	
Omkar Bavadekar	
Julia Fernandes.	

Names	Signatures
Vedant Salgaonkar	
Divya Ravichandran	
Keisha D'souza	
Lawrence Braganza	
Felicita E2 D'souza	
Nisha Paulose	
Nilesh Morajkar	
Cosma CARDOZO	
Jan Fernandes	
Viraj Salgaonkar	
Shubham Harmalkar	
Dinesh Harmalkar	
Dilip Nagvekar	
Siddhanth Kalangutkar	
Mahendra Manadrekar	
Kapil Korgaonkar	
JOSEPH FERNANDES	
Domingos X. D'Souza	
Bradley Lobo	
Delayton Fernandes	
JASON SEQUEIRA	
Rahul Sawant	Rahul Sawant
Bernard Fraeco	
Peter FERNANDES	

Names	Signatures
Suvarnasangeet S. Vernekar	Vernekar
DIAGO FERNANDES	
Prakash Tambankar	Prakash
Preshila S. Karmalkar	
Avita Fernandes	
SOCORRO LOBO	
VASUNDARA SINGH	V. N. N
Andrew Felix Vieira	Vieira
Sharon Leena Fernandes	Fernand
Shaine Fernando	
Veronica Fernandes	
Sylvester Fernandes	
Sapna Sha	
Saksham Dhangalkar	Dhangalkar
Saksham Gattekar	Shan Gattekar
Chelsea Fernandes	Chelsea
Bertha Fonseca Kadam	Kadam
Luiza Lopes	Lopes
Marcelina Coutinho	
Anthony Coutinho	
Lucia Dsouza	L. Dsouza
Fatima Fernandes	
Tanoj Adwalpalkar	
PRAVIN D [illegible]	

Names	Signatures
Ophelet Lobo	Ophelet
ALEX NORONHA	[illegible]
MICHELLE BAMBAWALE	M. Bambawale
Gauri S Gaudan	[illegible]
Alex Fernandes	[illegible]
Mahadev Halwalkar	[illegible]
Aayushi Saini	Aayushi Saini
Rita Franco	R. Franco
Rashmi Arun	[illegible]
Thanmai Rao	[illegible]
Shevesh Dabholka	[illegible]
GILSON GOMES	[illegible]
Joyce Gomes	Gomes
Swizel D'Souza	DSouza
Danica D'Souza	DSouza
Kenneth DSouza	DSouza
Jinny Fernandes	[illegible]
Palmira Fernandes	PFernandes
Catherine DSouza	CDSouza
JEEVAN GUVEKAR	[illegible]
Rajesh P. Vainganlar	[illegible]
Perseus Solomon D'SOUZA	[illegible]
FATIMA FERNANDES	Fernandes
Aston Fernandes	[illegible]

Names	Signatures
Leena Dias	Dias
Melba Dias	MDA
Rio Luis	[illegible]
Benhail Antao	[illegible]
Alex R. Fernandes	[illegible]
Pearl Glaco	[illegible]
Pandurang Harmalkar	[illegible]
MOHAN KUMAR	[illegible]
Mihir Ganatra	[illegible]
SUNETRA HARMALKAR	Sunetra Harmalkar
SURESH KUMAR	[illegible]
Louiza Fernandes	L. Fernandes
Udesh Pangam.	Pangam
Albino Fernandes	[illegible]
Ashwin Lopes	[illegible]
Darwin Fernandes	[illegible]
Carmen Fernandes	Fernandes
Judy Fernandes	J. Fernandes
Delicia Fernandes.	[illegible]
Filomena Fernandes	Filomena Fernandes
Crispin Jenkinson	[illegible]
Bella Jenkinson	[illegible]
Mary Jenkinson	[illegible]
Christopher Jenkinson	[illegible]
Rosa E. Fernandes	R. E. Fernandes

Names	Signatures
Asmita Vaigankar.	Avaigankar
Shopa Arporkar	[illegible]
Dnyaneshwar Arporkar	[illegible]
Babynanda Shetkar	[illegible]
Steffy Araujo	[illegible]
Vidhyadhar V. Vaigala	[illegible]
Alzina Maurice	[illegible]
Audey Maurice	[illegible]
Bernadine Mauri	[illegible]
JASMIN JAGADA	J. Jagada.
NIVEDITA MAGAR.	[illegible]
Josefine Lobo	Lobo
Albert Lobo	[illegible]
SR. LAVINA LOBO	[illegible]
Chardin Lobo	[illegible]
Charbel Lobo	[illegible]
Manisha M. Agamaalea	[illegible]
Marja Fernandes.	[illegible]
Catherine Godad	[illegible]
Desiyl Fernandes	[illegible]
Lucy Fernandes	[illegible]
Brendan F'des.	[illegible]
Santoshi Shirodkar	S.AS.
Sweta Nagvekar	[illegible]

Names	Signatures
Dikshita Govekar	
Vithal A. Govekar	
Hanumant M Govekar	
Ankit H. Govekar	
Yashmine H. Govekar	
Vidhya R Govekar	
Gautam R. Govekar	
Rutika R. Govekar	
Manisha Harmalkar	
Sunil Vaigankar	
Abel Carvalho	
Nora - Fedes	
Ignatius Fdes	
Benedita Fernades	
Isabela Godad	
Vandana Kalangutkar	
Siddhi Kalangutkar	
Z. XAVIER MORAES	
SARAH XAVIER MORAES	
Pramila Dalgi Salgaonkar	
Mathurdas Salgaonkar	
Sangita Harmalkar	
Suresh Harmalkar	
Gajanan J. Narvekar	

Names	Signatures
Subhash J. Narvekar	[signature]
Suvidha S. Narvekar	[signature]
Vandana. G. Narvekar	V. G. Narvekar
Pushpa G. Vaingankar	Vaingankar
Kavita K. Vaigankar.	K. Vaigankar
Krutika K. Vaigankar	[signature]
NISHA NARVEKAR.	निशा नार्वेकर
Rosa Everista Fernandes	[signature]
Gokuldas Narvekar	[signature]
Utkarsha Narvekar	Narvekar
Uttam S. Harmalkar	[signature]
Gauri Harmalkar	[signature]
RITIKSHA HARMALKAR	[signature]
Subhada S Harmalkar	[signature]
Conceicao L. Mitchel	[signature]
Esmeralda Mitchel	E. Mitchell.
Victory Fernandes	[signature]
Maria Fernandes.	Fernandes
Pulqueria D'souza.	P. D'Souza.
Gregory Lobo	[signature]
Lorenia Lobo	Lobo
Jyothi Nagvekar.	[signature]
ANICETO LOBO	[signature]
DILETA LOBO	[signature]
Nubert Fernandes	[signature]

Village Panchayat of Oxel

Bardez Goa

Ph. 2277777

No. VP/OXEL/ILL const/NOTICE/24-25/113 Date:15.5.2024

Notice under section 82 OF GOA PANCHAYAT RAJ ACT 1994

Whereas complaint is received in this Panchayat from Phima Tobo & Others, regs "Petition in public interest plea to Revoke Construction license and issue work stop in Public /interest in Survey No 51/21 of oxel Village as these Multi Dwelling housing Project Will cause Irreversible Environmental Damage" Further Point No. 4 of Complaint states that there is No 6 Meter wide road as the existing road width is only 3 to 4 meters. (Copy enclosed)

Whereas, this panchayat construction licence with conditions Vide No. VP/OXEL/const lic/residential-bldg/1304 dated :11/03/2024. In this regard and in view of the aforesaid complaint, you are hereby informed that this village Panchayat shall be conducting site inspection in the matter to verify the allegation made by the complainant with regard to non-availability of 6 meter wide road.

The site inspection is fixed on 18.05.2024 at 11.30 am onwards, in the matter to physically verify the said fact and for taking further action as Per Goa Panchayat Raj Act 1994.

In view of this, You are requested to remain present at site for site inspection on aforesaid date and time without fail. Failing which site inspection will be carried out in your absence, which may be taken note of.

SARPANCH
V. P. OXEL

To,
Jai Santoshi Housing Pvt Ltd
Vinti Sahni
Through their Representative - Mr. Shailesh Chandrakant Nandrekar,
Tivim Bardez Goa
Rara Exports Pvt Ltd
Through its Director - Rahul Sayal
2 Fern Hill, Chattarpur Farm, Mehrauli, New Delhi 110030

Copy to :
Complainant through Phima Tobo R/O Aradi-Oxel, with a request to remain present at VP office office to proceed for site inspection, 15 minutes before the time of site inspection on above mentioned date for site inspection, without fail, take note that no site inspection will be done in your absence

~~CALL~~ ATTENDANCE SHEET / Report

In pursuance of notice no. V.P./Oxel/~~2021-22~~/KL-cord/NOTICE/24-25/[illegible] dated 15/5/2024 issued by Village Panchayat Oxel .We the undersigned remained present ~~in the V.P. office today~~ On 18/05/2024 at 12:30 A.M/P.M. The following persons are present ~~at the office for~~ discussion.

1| ~~Shri~~/Smt. Reshal Arpoikar .... Sarpanch
2| ~~Shri~~/Smt. Manjuta Phadte .... V.P. Secretary
3| Shri/Smt. Pravin Kochrekar .... V.P. Member
4| Shri/Smt. Siddhi Shirodkar .... V.P. Member
5| Shri/Smt. Vaibhav Mayekar .... V.P. Member
6| Shri/Smt. Akshay Vaigankar .... V.P. Peon

COMPLAINANT:
7| Shri/Smt. Bloma Lobo .... Complainant

OPPONENT:
8| Shri/Smt. Absent (No representative remain Present) .... Opponent

OBSERVATIONS:

There At at time of inspection [illegible]

there [illegible]

Certified COPY ISSUED UNDER R.T.I. ACT 2005

The report [illegible] prepare & recorded in presence of all above signed persons at the office

Place: 18/5/24

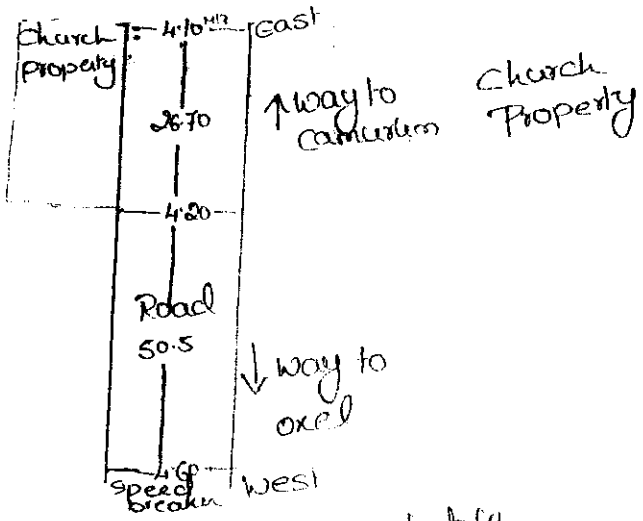
Date:

V.P. SECRETARY
V.P. Oxel

V.P. SARPANCH
V.P. Oxel

Rough Sketch
Not Scaled

18/05/2021



Note :- Shoulder for road is not available

Certified COPY ISSUED
UNDER R.T ..ACT 2005

[Typed copy of pg. 69]

CALL ATTENDANCE SHEET /REPORT

In pursuance of notice no. V.P./Oxel /122-Cond/NOTICE/24-25/ DATED 15/5/2024 issued by the Village Panchayat Oxel, we the undersigned remained present at site on 18/05/2024 at 12.30 pm.The following persons are present :

1. Shri /Smt Reshal Arporkar, Sarpanch
2. Shri/Smt Manjita Phadte, V.P. Secretary
3. Shri/Smt Pravin Kochrekar, V.P. Member
4. Shri/Smt Siddhi Shirodkar, V.P. Member
5. Shri/Smt Vaibhav Mayekar, V.P. Member
6. Shri/Smt Akshay Vaigankar, V.P. Peon

COMPLAINANT

7. Shri/Smt Bloma Lobo, Complainant

OPPONENT

8. Shri/Smt Absent (no representative remained present,

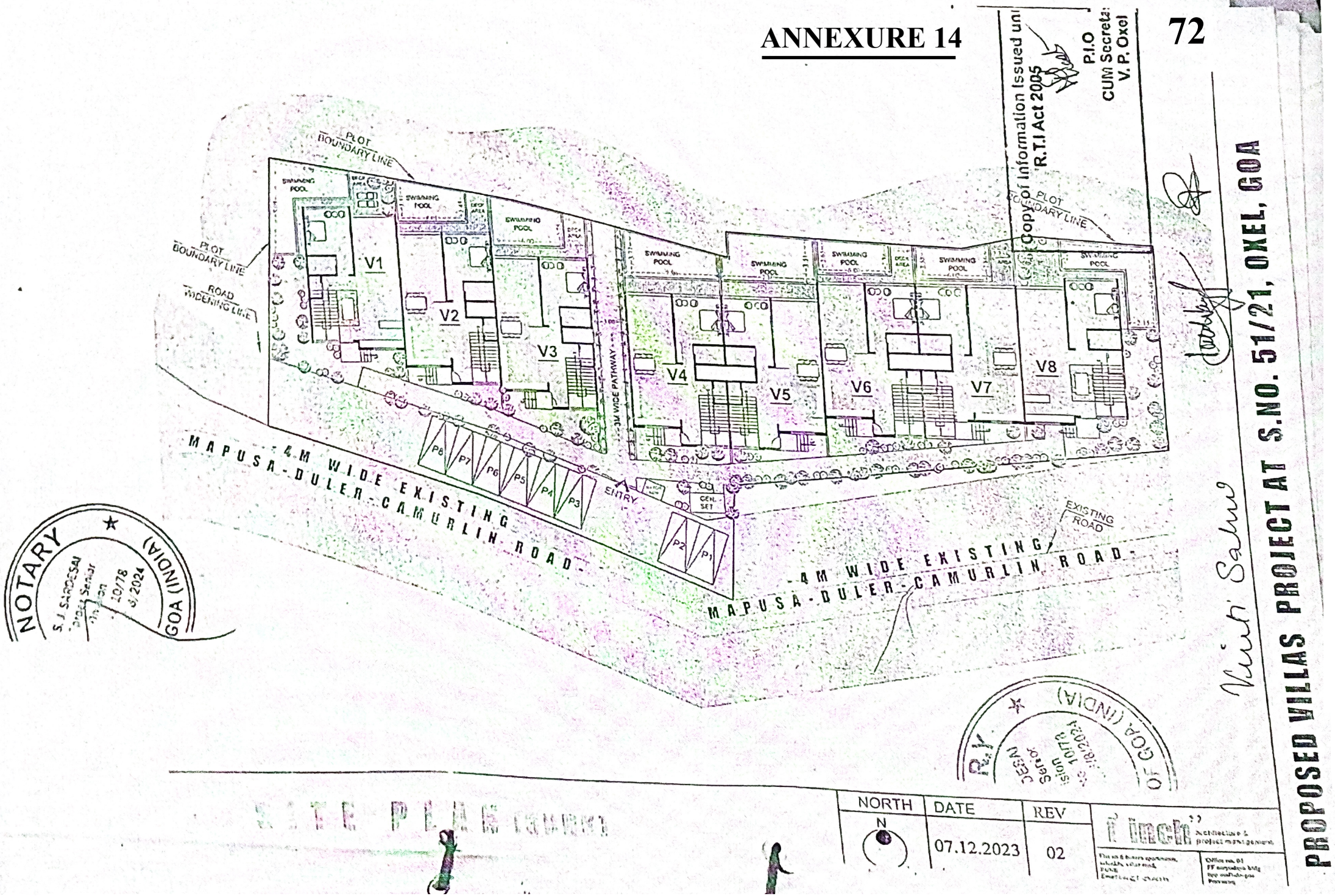
OBSERVATIONS:

There at the time of the inspection, it is found that there is no 6 meter wide road.

The report prepared and recorded in presence of all above persons at the office.

Date: 18.05.2024 [Sd/-]

ANNEXURE 14


PROPOSED VILLAS PROJECT AT S.NO. 51/21, OXEL, GOA
Copy of Information Issued uni
R.T.I Act 2005
P.I.O
CUM Secreta
V. P. Oxel
PLOT BOUNDARY LINE
ROAD WIDENING LINE
SWIMMING POOL
V1
V2
V3
V4
V5
V6
V7
V8
3M WIDE PATHWAY
P1
P2
P3
P4
P5
P6
P7
P8
ENTRY
GEN. SET
EXISTING ROAD
4M WIDE EXISTING MAPUSA-DULER-CAMURLIN ROAD
NOTARY
GOA (INDIA)
NORTH
N
DATE
07.12.2023
REV
02
finch
Architecture & project management

ANNEXURE 15 Colly

Village Panchayat of Oxel

Bardez - Goa

Ph. 2272272

NO. VP/OXEL/const.lic.MISC/2024-25/125

Date:21.05.2024

VILLAGE - PANCHAYAT OXEL BARDEZ GOA ★

To,

Jai Santoshi Housing Pvt. Ltd
Vinti Sahni
Through their Representative – Mr. Shailesh Shantaram mandrekar,
Tivim Bardez Goa
Rara Exports Pvt. Ltd
Through its Director – Rahul Sayal
2 Fern Hill, Chattarpur Farm, Mehrauli, New Delhi 110030

Ref:

1. Technical clearance order issued by TCP bearing no. TPB/9241/Oxel/TCP-2024/1344 Dated 7.2.2024
2. Construction license issued by this office bearing no. **No. VP/OXEL/const-lic/residential-bldg/ 1304 Dated 11.3.2024**

Take notice that this panchayat has received complaint from residents of Oxel and Siolim Village dated 10.5.2024 on the subject "Petition in public interest plea to revoke construction license and issue work stop orders in public interest in survey no. 51/21 & 94/1 of Oxel Village as these multi dwelling housing projects will cause irreversible environmental damage."

Further this panchayat issued you Notice under section 82 of Goa Panchayat Raj Act 1994 bearing no. VP/OXEL/ILL-CONST/NOTICE/2024-25/113 Dated 15.5.2024 and said notice was duly served via postal service (speed post), wherein site inspection was fixed on 18-5-2024, with a direction therein to remain present for said site inspection without fail, and failing which the said site inspection will be conducted in your absence.

Copy of information issued under R.T.I Act 2005

P.I.O
CUM Secretary
V. P. Oxel

whereas you have failed to remain present for the above said site inspection. You are hereby informed that as per the aforesaid complaint, the inspection schedule on 18-5-2024 was conducted in the presence of complainants and it is observed that there is no existing 6-meter asphalted wide road available at site.

Whereas the construction license has been granted **for "Construction of Residential Villas i.e. Villa-A, Villa-B, Villa-C, Villa-D, Villa-E, Villa-F, Villa-G & Villa-H, compound wall and swimming pools S1, S2, S3, S4, S5, S6, S7 & S8 " in property bearing sy.no. 51/21of Oxel Village", as per the approved plans in the property zoned as "Settlement Zone" in Regional Plan for Goa 2021, situated at Oxel Village and as per technical clearance order bearing no. TPB/9421/OXEL/TCP-2024/1344 Dated 07.02.2024 from Office of the Senior Town Planner, Town and country Planning Dept. North Goa District office, Mapusa Goa, with conditions.**

In view of the above, you are hereby directed to show cause / reply to the satisfaction of this authority as to why the said construction license shall not be revoked on the ground of no existing 6-meter wide asphalted road available at site, within a period of 7 days from the receipt of this notice.

Failure on your part to comply with this notice will be viewed seriously and further appropriate action shall be initiated under relevant provisions / sections of the Goa Panchayat Raj Act 1994.

VILLAGE PANCHAYAT OXEL BARDEZ GOA

SARPANCH
V. P. OXEL

Copy to: complainants: through - Bluma Lobo, Oxel Bardez Goa

To

The Sarpanch

Village Panchayat of Oxel

Bardez – Goa.

Date: ~~28.05.~~ 03/06/2024 2024

From:

Jai Santoshi Housing Pvt. Ltd

Vinti Sahni

Through their Representative:

Mr. Shailesh ShantaramMandrekar

Tivim Bardez Goa

Rara Exports Pvt. Ltd.

Through its director Rahul Sayal

2 Fern Hill, ChattarpurFarm ,

Mehrauli, New Delhi, 110030

Inward No. 180
Date : 03/06/2024.
V. P. Oxel Bardez - Goa

Ref: VP Oxel letter No. VP/OXEL/Const.lic.MISC/2024-25/125 dated 21.05.2024

Subject: Reply to your Show Cause Notice/letter dated 21/05/2024 under reference number VP/OXEL/Const.lic.MISC/2024-25/125

Sir/Madam,

We are in receipt of your above letter date 21.05.2024 and we wish to preliminarily respond to thesame as under:

1. At the outset we apologise for not being able to present ourselfat the inspection scheduled on 18.05.2024. Unfortunately, your letter was put before the concerned

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P.I.O
CUM Secretary
V. P. Oxel

dealing executive/officialsa day after the inspection and thus the inspection could not be attended to by our officials.

2. Your letter states that the site inspection was proceeded with on 18.05.2024, and records that that "… there is no existing 6 meter asphalted wide road available at site." and further concludes by asking us to show cause "… as to why the said construction licence shall not be revoked on the ground of no existing 6 meter wide asphalted road available at site".

We respectfully dispute and disagree with the above recordings and conclusion, factually and legally. We also request you to immediately supply to us the site inspection report of 18.05.2024 as the same has not been attached or enclosed to your letter dated 21.05.2024, seriously handicapping us to effectively reply to your above show cause notice. In such circumstances we reserve our right to give effective and final reply to the SCN above, after you supply to us such site inspection report along with its annexures, if it contains any such annexures/enclosures. **In the absence of such site inspection report being supplied to us and reserving our above right, we by way of this interim reply respond to you as below.**

3. The Goa Land Development and Building Construction Regulations, 2010 defines 'Road or Right of way', as follows:

> '(113) "Road or Right of way" (R/W), means the right of way of the road or street inclusive of the carriageway, shoulder, drain, footpaths, and shall be measured at right angles to the course of direction of such road or street; Refer Sketch No. 1 Chapter No. 28
>
> Note: – In case of road embankments, the road embankment width should be provided in addition to the prescribed R/W.'

We state that the existing road when measured as above is 6 meters wide. This road is also reflected as such in the Village Plans and ODP and, on the basis of such a road our development activities are permissible and are accordingly sanctioned and approved,as it is a 6meter road. We state that accordingly our

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P.I.O
CUM Secretary
V. P. Oxel

project has been approved. The sketch referred to in the definition is annexed herewith

4. Without prejudice to the above,we respectfully state and submit that the Village Panchayat does not have the jurisdiction or technical expertise to go into planning aspects such as Road width/ its dimensions, access to the plot and it is the Town and Country Planning Department, Goa, who would be the authority to go into these aspects. Considering that the ground raised by your SCN is of *"no existing 6 meter wide asphalted road available at site"*, it is apparent the Panchayat does not have jurisdiction go into the into such aspects. Further your panchayat also lacks technical expertise for arriving at any conclusions as regards, no existing 6mtr wide asphalted road being available at the site. We state that there is anexisting 6meters wide road available at the site and to our approved project/villas.

5. Further we would like to bring to your notice that our project abuts the Oxel-Mapusa road which has vehicles passing over regularly.The road is also utilised by busescommuting between Oxel and Mapusa and further various development activities have taken place, sanctioned and approved on the basis of such 6meterexisting road and we therefore cannot be single handedly picked up for discriminatory treatment. We further deny that there is no existing 6mtr wide road and reiterate that our project is served by an existing 6mtr wide road available at site, which is the requirement of law.

6. We further request you to kindly give us a personal hearing for better apprising of the factual and legal aspects on the above subject in consonance with the principles of natural justice.

Thanking you

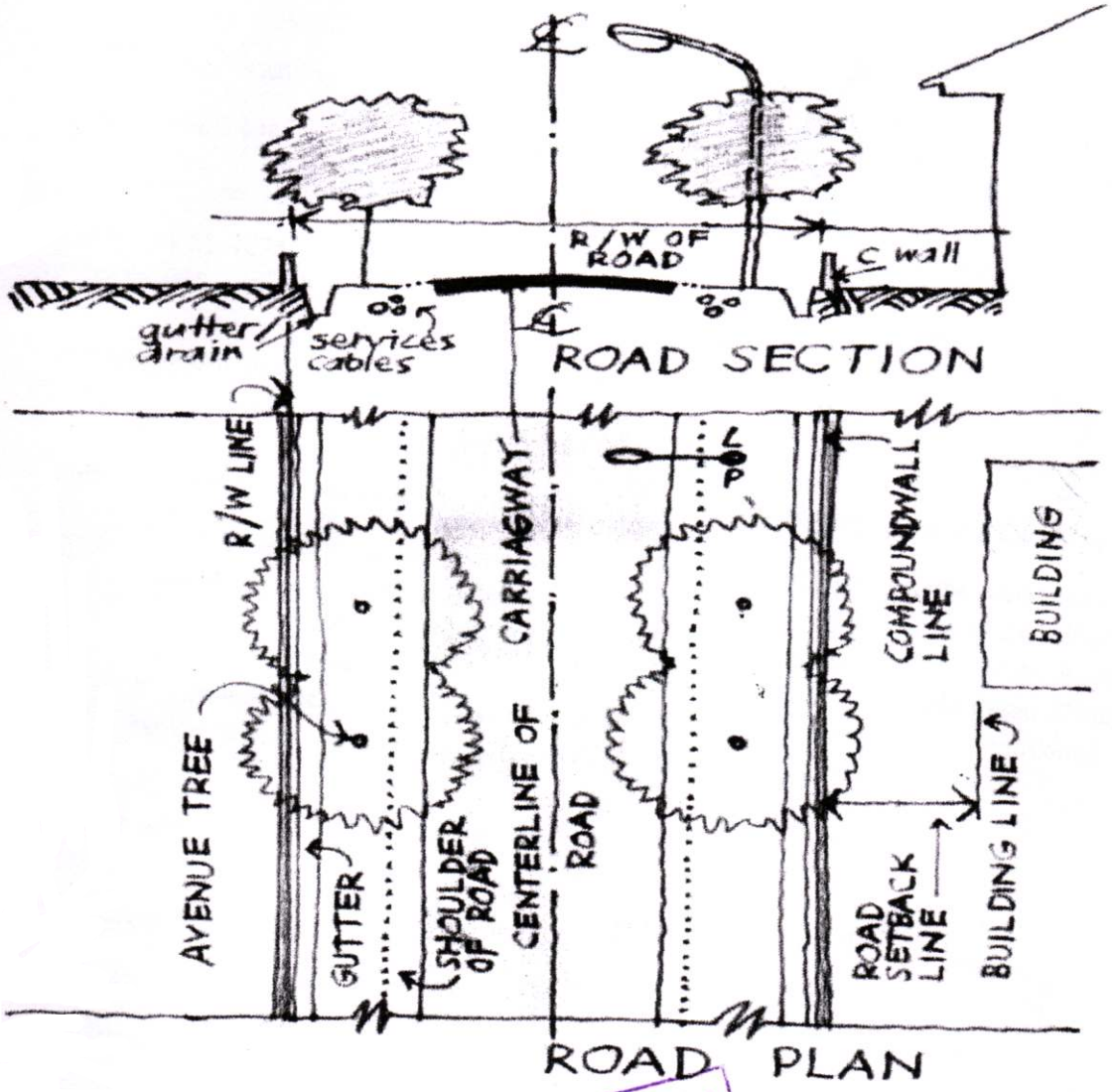
Yours faithfully

Copy of Information Issued under
R.T.I Act 2005

P.I.O
CUM Secretary
V. P. Oxel

Chapter 28 Sketches for clarification

Sketch No. 1 Definition (113) & Regulation 12.1 R/W section with components.



Copy of information issued under R.T.I Act 2005
257
P.I.O
CUM Secretary
V. P. Oxel

ANNEXURE 16 Colly

To,

The Sarpanch

Village Panchayat of Oxel

Bardez, Goa.

Inward No. Pvt/208

Date : 10/06/2024

V. P. Oxel Bardez - Goa

Date: 10/06/2024.

Subject: Request to hold an URGENT joint meeting with Panch members & Oxel residents to discuss the irreversible damage being caused to Oxel Spring.

Dear Madam,

As discussed earlier with you during our meeting in your office on 6 June, 2024, we the undersigned concerned residents of Oxel would like to hold a joint meeting with you and all the Village Panchayat of Oxel Panch members at the earliest pertaining to the irreversible damage being caused by the construction of the multi-dwelling project in close proximity of the Oxel Spring of 28 meters as measured by the Water Resource Department, Government of Goa. In this context, we reiterate the contents of our letters dated 10/05/2024 and 20/05/2024 addressed to you / Panchayat Secretary.

As you have already issued the Show Cause Notice to the errant builder in Survey No. 51/21 of Oxel Village, we would like to discuss the **URGENT** necessity of withdrawing the NOC issued by the Oxel Panchayat and issue the Work Stop Order as per law and save our Oxel Spring from destruction.

Awaiting for an early response.

Sincerely yours,

Bluma Lobo & others

Aradi, Oxel, Bardez, Goa

Mobile No: 9823419584

Dominic Fernandes

Venancy Fernandes

Julia Fernandes

Sean Fernandes

Charmaine Lobo

Antonio Fernandes

Pearl Alemao

Inward No. 254
Date : 19/06/2024
V.P. Oxel Bardez - Goa

To,
The Sarpanch/Panchayat Secretary
Village Panchayat of Oxel
Bardez, Goa.

Date: 17/06/2024.

Subject: Illegal construction in Survey No. 51/21 of Oxel Village.

M[redacted],

With reference to the captioned subject and further to our letters dated 10/05/2024, 20/05/2024 and 10/06/2024, we wish to state as under:

1. That the ongoing illegal construction of multi-dwelling housing project in Survey No. 51/21 of Oxel Village has **NOT** left the mandatory setback of 3 meters within their property as required under The Goa Land Development Building Construction Regulations 2010. We therefore request you to immediately act against this illegality and ensure that action is taken at the earliest and issue appropriate Stop Work Order as per law.
2. The violator of the captioned subject has also illegally built a boundary wall on a natural flowing ancestral rain water drain, thus blocking the natural flow of water that threatens flooding and lives of pedestrians and free flowing of vehicular traffic. Therefore, we request you to immediately demolish this illegal structure to preserve our natural flowing rain water path in public interest and for the safety of the people.
3. We reiterate the contents of our letters dated 10/05/2024, 20/05/2024 and 10/06/2024 to avoid repetition and request the Sarpanch/Panchayat Secretary once again to act as per law.
4. That your own Oxel Panchayat records of this multi dwelling project in Survey No. 51/21 has shown that it has a road width of only 4 meters as declared by the builders themselves. This document sourced through RTI from the Oxel Panchayat is attached herewith this complaint letter for your perusal and immediate action.
5. Considering the above facts, the Sarpanch / Panchayat Secretary are hereby once again requested to **URGENTLY** act against the illegal multi-dwelling housing project in Survey No. 51/21 of Oxel Village Panchayat without any further delay, issue appropriate **STOP WORK ORDER, DEMOLISH THE ILLEGAL STRUCTURES AND RESTORE THE LAND TO ITS ORIGINAL STATE AS PER LAW as this project is causing irreversible environmental damage,** failing which we will be compelled to initiate appropriate legal action in public interest to uphold the law and for the protection of the Oxel natural spring, its eco-system and catchment area, with costs and consequences to the Sarpanch / Panchayat Secretary, which please note.

Sincerely yours

Antonio.

(Antonislau Fernandes & Others)
Bamon Waddo, Oxel, Bardez, Goa
Phone No: 9823882594.

Enclosed as Above: Building Plan Showing only 4 meters road.

Charmaine Lobo
Marcelina Coutinho
Vidhyadhar Vaigi
Julia Fernandes
Sean Fernandes
Venancy Fernandes
Bruno Lobo

RECEIVED
Government of Goa
Secretariat, Porvorim
11 JUL 2024

To,

1. **The Chief Secretary**
Government of Goa
Secretariat, Porvorim.

2. **Chief Town Planner**
Town and Country Planning Department
Dempo Towers, 2nd floor
Panaji Goa 403001.

Chief 01/07/2024
Town & Country Planning Department
Government of Goa
Panaji - Goa

3. **Deputy Town Planner**
Town and Country Planning Department, Mapusa
Government Office Complex building
2nd floor Mapusa, Goa.

01/07/24
Office of Senior Town Planner
Town & Country Planning Dept.
Govt. of Goa
Mapusa - Goa

4. **Assistant Engineer**
Public Works Department (PWD)
Opp' Bus Stand, Mapusa, Goa.
SDII, WDXIII(R) MAPUSA.

SD IWD XIII(R) PWD
Received by
Date 03/07/24

5. **Chief Engineer**
Water Resources Department
Sinchai Bhavan, Near Police Station
Porvorim, Bardez, Goa.

Received 3/7/2024 2861
CE, W.R.D. 03/7/202

6. **Sarpanch/Secretary**
Village Panchayat of Oxel
Siolim, Bardez, Goa.

Received
Inward No. 27/06/2024.
Date :
V. P. Oxel Bardez - Goa

7. THE Goa Bio diversity Board
Saligao, Bardez, Goa

RECEIVED
Goa State Biodiversity Board
Date: 1/7/2024
Time: 12:52 pm

June 26, 2024.

Sub: Representation against illegal construction in close proximity to the Oxel Natural Spring in Survey No. 51/21 of Oxel Village. Reference: *Construction License from Oxel Panchayat No. VP/OXEL/CONST. LIC/ RESIDENTIAL – BLDG/1304 dated 11/03/2024 & TCP License No. TPB/9421/ OXEL/TCP-2024/1344 dated 07/02/2024.*

Sir/Madam

1. The undersigned are mostly residents of Oxel, Siolim, Bardez, Goa.

2. That 3 entities namely: 1. Jai Santoshi Housing Pvt Ltd and Vinit Sahni represented by Shailesh Shantaram Mandrekar, R/o Tivim, Bardez, Goa; and 3. Rahul Sayal, director, Rara Exports Pvt Ltd., 2 Fern Hill, Chattarpur Farm, Mehrauli, New Delhi. 110030 hereinafter referred to as multi-dwelling project, have obtained approval from Deputy Town Planner vide approval *TCP License No. TPB/9241/ OXEL/TCP-2024/1344 dated*

07/02/2024 in Survey No. 51/21 to construct villas. A copy of this TCP license is attached herewith this letter and marked as **Exhibit 1.**

3. In this background and in the public interest we checked the building plans and found that the Project construction is without the mandatory minimum 6-meter road as the Project proponents themselves have submitted a plan which shows only 4-meter road, based on which the Party No. 3 Senior Town Planner, Mapusa, illegally and fraudently approved the said building plan in violation The Goa Regulation of Land Development and Building Construction Act 2010 and at the relevant time vide approval No. *TPB/9421/ OXEL/TCP-2024/1344 dated 07/02/2024 in Survey No. 51/21.* Annexed hereto is copy of sub-division plan approved by the Town and Country Planning Department, Mapusa and the village Panchayat of Oxel (sourced through RTI) for ready reference and marked as **Exhibit 2.**

4. We had made written representations to the to the Sarpanch/Panchayat Secretary of the Village Panchayat of Oxel vide letters dated 10/05/2024 and 20/05/2024. Subsequently, an inspection was held by the Village Panchayat of Oxel to measure the road width where the multi-dwelling project is located and it was found that the road width is under 6 meters, yet the Oxel Panchayat failed to initiate any action to stop the construction work. A copy of this inspection report is attached here with this complaint for your perusal and marked as **Exhibit 3.**

5. It is for this above reason, we request you to kindly take action and revoke all the permissions/licenses issued to develop in terms and Town & Country Planning Act and /or take legal action to stop the illegal construction and restore the land in its original condition after removal of unauthorised development.

6. It is also noticed that the actual construction line of the said project is very close to the road and does not have the mandatory 3-meter set-back in Survey No 51/21 in Oxel Village.

7. This representation is made in public interest considering the fact that the upcoming project is in very close proximity to the Water Resources Department (WRD), Government of Goa notified Oxel natural spring and hence the urgency in public interest to stop the said Project as it will cause irreversible damage to the natural spring of Oxel and its riparian flow of water and the ground water too as substantial steel and cement is being poured under the ground to lay the foundation to the project, besides septic tank/s are being built that will contaminate the Oxel's natural Spring water. A copy of this WRD notification is attached herewith this complaint and marked as **Exhibit 4.**

8. The multi-dwelling housing project will cause irreversible damage to village environment as the Oxel natural spring water is widely used by the residents of Oxel and nearby villagers for the purpose of drinking and cooking and the spring water is believed to be rich in minerals and therefore its water is also used for bathing.

9. The multi-dwelling housing project will put tremendous pressure on the Oxel Village infrastructure due to the increased traffic on narrow roads, garbage generation, scarce PWD water supply being diverted to feed the 8 swimming pools, washing cars, etc and electricity as Oxel residents have been facing frequent power cuts due to high demand and low supply of electricity.

10. That vide our letter dated 15/05/2024 we had requested the Chief Engineer of the WRD to mark the catchment area of the Oxel natural Spring and its riparian flow. Later, again on 03/07/2024 we submitted a reminder to the Chief Engineer, WRD. Both these letters remain unanswered to-date for reasons best known to the Chief Engineer. Both these letters are attached herewith this letter and marked as **Exhibit 5 & 6** respectively.

11. That for all the above reasons, we the undersigned hereby request Party Nos. 2, 3 and 6 to revoke the licenses, NOCs, technical clearances and all other permissions issued to the multi-dwelling project, Party No. 1 to initiate action against this unlawful and fraudulent approvals granted to this multi-dwelling project, initiate action against Party No. 5 for dereliction of duty to mark the catchment area of the Oxel Spring and its riparian flow of water and failure to respond to our 2 letters.

12. The party No.7 the Goa Biodiversity Board may conduct a site inspection along with the Water Resource Department and report on the viability of the proposed building project and the potential effects on the Oxel springs and the surrounding environment.

Sincerely Yours

(Pearl Colaco Lobo) **(Antonislau Fernandes)** **(Nubert Fernandes)**

Complainants
Arradi, Oxel, Bardez, Goa
Mobile No. 9970226081